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Robert A. Dahl

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Gerald M. Pomper

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Caren Dubnoff

Report of the President, 1976
Robert H. Connery

Book Reviews

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From the Managing Editor:

In this issue . . .

ROBERT A. DAHL argues that the United States entered into five "historic commitments" that bear on the contemporary state of American democracy and its prospects and that in some respects those commitments are incompatible. He calls for making the different commitments more explicit so that the incompatibilities can be recognized and those that serve as obstacles to procedural democracy can be removed.

GERALD M. POMPER explains how American parties have been losing their traditional function in presidential nominations and elections. He contends that parties are now only one among many contestants attempting to influence electoral outcomes and that any continued decline in the influence of parties poses a risk to American democracy.

CHARLES V. HAMILTON suggests that the intensive efforts to register minority voters are not being matched by equal efforts to turn out those newly registered voters on election day. He concludes that this pattern impedes maximum political effectiveness among minority voters.

WILLIAM J. FOLTZ looks at United States policy toward southern Africa and finds that it is not constrained by compelling economic and strategic interests, despite their invocation by radicals and conservatives alike. Rather, American policy has reflected political and ideological concerns often ill suited to the African context and to long-range American interests.

ROBERT J. BRESLER and ROBERT C. GRAY subject the concept of the "bargaining chip" in arms negotiation to critical scrutiny. After analyzing the rationales for a number of weapon systems, they find that no coherent bargaining chip policy has existed among high American officialdom.

CAREN DUBNOFF examines the roles of the Supreme Court and state appellate courts in defining and upholding the constitutional right to an impartial criminal trial in the face of prejudicial pretrial publicity. She concludes that the Supreme Court refusal to declare national standards has led to widespread denial of judicial relief by most state courts.

DEMETRIOS CARALEY

JEFFREY L. PRESSMAN

It is with deepest sorrow that I record the tragic death, at age 33, of *PSQ* Editorial Board member Jeffrey L. Pressman of M.I.T. In a short but prolific and brilliant career, Jeffrey Pressman established himself as a leading authority in the fields of federalism, political parties, and urban politics. The superb quality of his advice and the incredible amount of time he generously spent in promoting *PSQ* activities made Jeffrey Pressman the ideal Board member. Jeff will be missed by everyone familiar with his honest and acute analyses of public affairs and most of all by those of us who also had the good fortune of sharing his warm and faithful friendship. D. C.

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On Removing Certain Impediments to Democracy in the United States

ROBERT A. DAHL

What this nation can become will be influenced, though not fully determined, by the ways in which we think about ourselves as a people. With a people as with a person, it is a sign of wisdom and maturity to understand and accept limits that are imposed by nature's laws and the scarcity of resources, whether physical, human, or political. In this sense we Americans may at last be entering into our maturity. But to accept as real, limits that are imposed only by our own minds, is not wisdom but self-inflicted blindness.

Out of our past we have inherited ways of thinking about ourselves that condemn us to try too much and accomplish too little. We fail not so much because our aspirations are too high but because they conflict; and within ourselves, too, we are conflicted in ways we do not fully recognize. In this sense our consciousness, both individual and collective, distorts our understanding of ourselves and our possibilities.

An important part of this distortion comes out of a series of historical commitments this country has made. It might free up our consciousness for greater political creativity if we were to see those commitments more clearly, to understand better how they conflict with one another, and to choose self-consciously rather than blindly among our possible futures.

The expression "historical commitment" may carry misleading connotations. An historical commitment in the context of this article is nothing neat, tidy, wholly self-conscious, broadly understood, much less agreed to by all, nor a well-shaped historical drama with a clear beginning, a middle, and an end.

ROBERT A. DAHL is Sterling Professor of Political Science at Yale University. He is the author of *A Preface to Democratic Theory*, *Who Governs?*, *After the Revolution?*, and other works. He is now working on two books on democratic theory.

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Rather, it pertains to periods in our history in which some alternative possibilities seemed open to the principal historical actors, who, however, were in conflict over the relative desirability of the alternatives they perceived. The conflict among them became overt, bitter, sometimes prolonged, and in one way or another finally came to involve a substantial number of citizens. In time, however, one set of advocates won out. Thereafter the issues so fiercely contested ceased to be salient in American political life. What had recently been a sharply contested possibility thus came to be accepted as pretty much an undebatable aspect of the status quo by the major parties, political leaders, writers and publicists, and (so far as these things can be discerned) the voters themselves. If dissenters continued to fight rearguard actions, they were few in number and on the margins of American politics, public attention, and political acceptability. Thus the historic commitments soon came to possess all the extraordinary advantages of things as they are and, after a generation or so, as they seem always to have been. This article will focus on five historical commitments this country has made to goals that are in some respects incompatible and will condemn us to a confused sense of national purpose unless and until we recognize these conflicts and decide on our priorities.

Five American Commitments

The first commitment was the one this country made to a liberal political and constitutional order that gave primacy to the protection of certain political and civil rights among its citizens. Although the whole colonial period was crucial to the development of sentiment favoring that commitment, the most active stage might be conveniently if rather arbitrarily placed somewhere between 1776 and 1800 or thereabouts. Sometime not long after 1800, conflict over the validity of the existing constitution pretty much recedes and soon hardly an American voice is heard in opposition to it. So profound is its acceptance, in fact, that the great constitutional quarrels to follow were not so much over the validity of the Constitution as over its meaning, assuming its unquestioned validity.

The second historical commitment, consolidated somewhere between 1800 and 1836 or thereabouts, was to the belief that the only proper constitutional and political system for Americans is a democracy. Although democracy mainly meant adhering to democratic procedures in the operation of the government, it also carried with it notions of a larger society within which social and economic conditions would favor the high degree of political, social, and economic equality necessary to democracy. By extraordinary luck, such a social order already existed in the United States. This was an agrarian society where, in an economy predominantly of family farms, the adult white male citizens lived with fewer social, economic, and political inequalities than any larger number of persons in history had existed up to that time, and very likely since. Tocqueville was not the first observer nor would he be the last, though he may have been the most

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gifted, to see how marvelously the agrarian society fostered a condition of equality among the citizens, or rather among the white males.

Yet that agrarian order was not only an historical rarity, but it had no future. During the harsh struggles over the new socioeconomic order that was to replace it, Americans who wished to retain the old order were the most numerous, persistent, and politically successful opponents of the new. But even with the whole weight of tradition on their side, they and their occasional allies were unable to prevent the displacement of the old agrarian order by a new order based on commercial and industrial capitalism, in which the ideal engine of economic production and growth was no longer to be the privately owned family farm but the privately owned commercial, financial, or industrial corporation. The contest that eventuated in the triumph of the new order over the old dominated American political life through the last three decades of the nineteenth century. During this time a number of alternatives to the new order—agrarianism, anarchism, socialism, individually owned consumers' and producers' cooperatives, selective government ownership and operation, economic regulation, limits on corporate size, monetary schemes, enforced competition, and many others—were thrust forward, debated, and finally pretty much defeated. The election of 1896 might be taken as the turning point in the victory of the new order over its rivals. Thereafter, the national commitment to the socioeconomic order of corporate capitalism swelled into a current so powerful that opponents could make no headway against it and were swept out of the mainstream of American life. Even socialists, who in Britain and Europe gained greater support as industrial capitalism expanded, remained a small and largely uninfluential minority in the United States.

If by 1900 or so this country was committed to corporate capitalism, aspects of the new order nonetheless remained at issue. Widespread hardships were engendered by an economy with as little public control as the dominant political coalition demanded. These hardships were real enough to ensure a following for a politician who advocated reform—at any rate so long as he did not attack the basic commitment to private ownership, whereupon his following would shrink into the futilities of minor party politics. Thus if socialism was unpopular, reform was not. As a result, from time to time regulatory laws won out in particular states and occasionally, as with Wilson's New Freedom, even in the federal government. But the country's commitment to only a modest interference by government in the conduct of corporate capitalism was more accurately reflected by the administrations of McKinley, Taft, Harding, Coolidge, and Hoover and by Theodore Roosevelt's bombastic style and ineffectual policies—speak loudly but carry a small stick—than by the brief interlude of reform during Wilson's first term. As we all know, it took the trauma of the Great Depression finally to convert a hitherto oppositional minority into a majority coalition. The product of this coalition was the fourth historic commitment which was, of course, to the idea and institutions of a welfare state. The prior commitment to private ownership and control of economic enterprises, and thus to corporate

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capitalism, was mainly upheld. Yet some of the most acute hardships and injustices generated in the socioeconomic order were to be removed or alleviated by government actions—mainly by the federal government. Orthodox as this commitment now seems, one who did not live through that period may find it difficult to recapture how intense, bitter, and at times violent was the conflict over the inauguration of a welfare state by Franklin Roosevelt and the New Deal. However, as with the preceding commitments, the main elements of this one soon gained such wide acceptability that opposition to the commitment itself, as distinguished from criticism of specific means, came to be an exercise in political futility.

Even before the main battles of the New Deal were finished, conflict had begun over what was to be the fifth historic commitment. This was the commitment to play an international role as a world power. Again, it may be hard to recapture how bitterly divided Americans were over this issue in the late 1930s. Yet the advocates of an American role as an active world power were riding an overpowering current of events that swept along most of their opponents and swamped the rest or left the few survivors stranded far behind the main body of American opinion.

All five of these historic commitments remain strong. Even after the shame and disaster of Vietnam, there is not really much likelihood of our renouncing our position as a world power, though the way we use our position and power cannot possibly be to everyone's liking or, alas, to everyone's benefit, and could easily be as harmful to ourselves and others once again as it has been in the recent past. Within limits, the strength of each of the five commitments seems to wax and wane; one is eroded here and another grows firmer there. But the commitments still dominate the way we think about ourselves and our future. And that is a source of difficulty, for the commitments are in some ways incompatible.

Impediments to Democracy

In particular, certain impediments to the realization of democracy in the United States have resulted from the other historic commitments. We can begin with the Constitution itself, the political system it helped to form, and the political ideas and beliefs embedded in and strengthened by the constitutional and political system. As we have seen, this country's commitment to democracy came after and not before the formation and adoption of the Constitution. Even as late as the Constitutional Convention, the desirability of a representative democracy was a debatable issue. Consequently, the framers could not and did not agree to establish a representative democracy. They could and did agree to establish a representative republic with a framework of government that would, as they believed, rest on popular consent and yet ensure as best they knew how the preservation of certain basic rights to life, liberty, and property that they held to be morally inalienable. In this sense, the framers were liberals and repub-

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licans though they were not democrats; they intended to establish a liberal framework of government, though it could be, and later was, democratized to a degree that, for a time, would astonish the world.

The political system the framers helped bring into existence was in at least two major respects defective by democratic criteria. First, in spite of the eloquent universality of the language used in the Declaration of Independence and common at the time, in actuality the framers gave much narrower scope to the principles of consent and political equality. Without seriously qualifying, much less abandoning their universal norms, they nonetheless created a government that would demand obedience to its laws from a majority of adults—women, nonwhites, and some white males—who were excluded from active participation in making those laws, whether directly or through their elected representatives. The majority of adults were thus provided with as little opportunity to give their active consent to the laws which they were bound to obey as their colonial predecessors had enjoyed under laws enacted by the English Parliament.

Second, in order to achieve their goal of preserving a set of inalienable rights superior to the majority principle—a goal many of us would surely share—the framers deliberately created a framework of government that was carefully designed to impede and even prevent the operation of majority rule. Thus when the country committed itself to their framework of government, two different arguments became confounded in the national consciousness, and they remain confounded to this day. There is the liberal argument that certain rights are so fundamental to the attainment of human goals, needs, interests, and fulfillment that governments must never be allowed to derogate from them. But in addition there is the American constitutional argument that the highly specific, indeed unique, set of political arrangements embodied in our constitutional and political practices is necessary to preserve these rights. While the writer accepts the liberal argument, the American constitutional argument seems seriously defective.

Now the matter of what ought to constitute inalienable rights beyond the reach of any government, and the proper relationship between such rights and democratic procedures, are questions far too complex to examine here. Certainly the solutions are not easy to come by, either theoretically or practically. Moreover, we might agree on the need to preserve fundamental rights against government without necessarily agreeing on what these rights should be. The point is, however, that the elaborate system of checks and balances, separation of powers, constitutional federalism, and other institutional arrangements influenced by these structures and the constitutional views they reflect, are both adverse to the majority principle, and in that sense to democracy, and yet arbitrary and unfair in the protection they give to rights. However laudable their ends, in their means the framers were guilty of overkill. As only one example, the presidential veto has generally been used, and quite recently, for purposes no loftier than simply to prevent the adoption of policies disliked by the president and the political coalition whose interests he seeks to advance. It is not as if a president

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uses the veto only when a majority coalition threatens the inalienable rights of a minority. What is typically at stake is purely a disagreement about policy. Insofar as all policies have costs and gains and thus influence the distribution of advantages and disadvantages, the policies of a majority (like those of a minority) are likely to be adverse to the interests of some persons; but we can hardly say—nor can the framers have intended to say—that every privilege that happens to exist does so by inalienable right.

Yet there is this strong bias against majorities in the political system the framers helped to create. Because they succeeded in designing a system that makes it easier for privileged minorities to prevent changes they dislike than for majorities to bring about the changes they want, it is strongly tilted in favor of the status quo and against reform. In their effort to protect basic rights, what the framers did in effect was to hand out extra chips in the game of politics to people who are already advantaged, while they handicapped the disadvantaged who would like to change the status quo. From a moral perspective, the consequences seem arbitrary and quite lacking in a principled justification.

We ought to be able to design a way of preserving fundamental rights that is not so biased in favor of existing privilege and against reform. A number of other countries that place fewer barriers in the way of majority rule than exist under our political system manage to preserve at least as high a standard of political liberty, with less procedural unfairness. But of course to bring about such changes meets precisely the obstacle to change just mentioned, the antimajoritarian bias of the constitutional and political system.

This brings us to another consequence of the framer's antimajoritarian design that is unsatisfactory both as a protection for morally inalienable rights and as a device for procedural democracy. It may not be going too far to say that although the framers were unable to prevent the democratization of the constitutional system, they created a potentially lethal instrument for that democratization in the presidency. When the democratic commitment referred to earlier was undertaken, the antimajoritarian constitutional design was not merely preserved but identified with democratic government itself, a confusion that remains all but universal among Americans, as visitors from other democratic countries and teachers of political science to American undergraduates repeatedly discover. However, democratizing the Constitution required a transformation that some of the framers had feared and had sought to prevent. The claim was now made that the president was the sole authentic spokesman for and representative of national majorities. Indeed, the constitutional framework hardly provided any other possibility. Given the nature of the Senate and even of the House, the claim on behalf of the presidency was plausible, and one that the defenders of Congress found hard to rebut. In the long run, as we know, Congress failed to uphold its claim and the claims made on behalf of the presidency pretty much won out. Endowed with legitimacy deriving both from constitutional interpretation and democratic ideology, the presidency became the institutional center from which a majority coalition, if there was to be one at all, would be

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mobilized, organized, and given voice. Thus one consequence of the framers' institutional design was to channel the process of democratizing the Constitution into transforming the presidency, a process that was not to end, if it has yet ended, before that office became what lately has been variously called an elective monarchy, an imperial presidency, a plebiscitary chief executive, and other epithets still harsher.

The irony is, then, that the first and second historic commitments taken in their entirety endow us with a political system in which any majority coalition supporting changes adverse to existing privileges is likely to succeed only if the presidency has access to a concentration of political resources great enough to make the office a standing danger to majority rule and procedural democracy itself. Thus the justifiable effort to strengthen the majority principle in a constitutional system that was designed to impede it has led not to democratization of the Constitution but rather to the pseudo-democratization of the presidency.

Under the agrarian economic order, the pseudo-democratization of the presidency did not matter very much nor would it have gone very far. The white males who comprised the demos enjoyed an astounding degree of autonomy in relation to one another and to all governments. Their political resources, and the opportunities and incentives for using them should the need arise, were vast in comparison with the weak coercive means available to any of the American governments. Hence, the potentiality of widespread governmental coercion of the demos or any substantial part of it was perhaps as minimal as it had ever been anywhere among a numerous body of people. As for the members of the excluded majority, their very exclusion from political rights meant that they could not successfully appeal to the government to prevent private or public coercion, unless they happened to have the support of a majority of white males, and not necessarily even then if a substantial minority in the demos opposed the change sought by or in behalf of the disfranchised. In practice, then, the excluded groups had little protection against oppression.

The third historic commitment was to change the distribution of resources so favorable to the demos. An agrarian order that historically speaking was extraordinarily congenial to democracy was now displaced by a new socioeconomic order of corporate capitalism that was much less compatible. The basis of the new order was a fundamentally different kind of economic enterprise. The small family owned and operated farm that was modal if not universal in the agrarian order was now displaced by one of the most radical innovations that mankind has ever invented for economic organization, control, and growth. This was the privately owned and operated business corporation. Through a highly successful case of ideological transfer, the Lockean defense of private property, which in the agrarian order made good sense morally and politically, was shifted over intact to corporate enterprise. This ideological triumph successfully warded off attacks not only from nascent socialist movements opposed to private property in the means of production but also from the historical rear guard defending the old agrarian order, which had at hand no convincing way of distinguishing

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private ownership and control of one kind of enterprise, the farm, from private ownership and control of a radically different kind, the business corporation. Thus by an extraordinary ideological sleight of hand, the corporation took on the legitimacy of the farmer's home, tools, and land, and what he produced out of his land, labor, ingenuity, anguish, planning, forbearance, sacrifice, risk, and hope. The upshot was that the quite exceptional degree of autonomy the farmer members of the demos had enjoyed under the old order, an autonomy vis-à-vis both government and one another, was now granted to the corporation.

Two consequences of this new order were particularly adverse to democracy. First, the new order generated much greater differences than the old in political resources, skills, and incentives within the demos itself. The degree of social and economic differentiation that had already been foreshadowed in the cities of the eastern seaboard was no longer marginal, as it had been when the socio-economic order was overwhelmingly agrarian, but central to the new order. Great differences in wealth, income, social esteem, education, occupational skills, and ethnic status now differentiated wage earners and pieceworkers in industry, ship, mine, and forest—a rising proportion of whom were immigrants —from the middling strata of white-collar and professional people, who for some time to come were predominantly Anglo-American in origins, and these in turn from the opulent few. Because differences like these are readily convertible into political resources, the wide, if by no means perfectly equal dispersion of political resources among the demos in the agrarian order was now considerably more concentrated. Inequalities in political resources added further to the handicaps of any majority coalition that sought changes in the allocation of privileges and disadvantages.

Second, because the internal government of the corporation was not itself democratic but hierarchical and often despotic, the rapid expansion of this revolutionary form of economic enterprise meant that an increasing proportion of the demos would live out their working lives, and most of their daily existence, not within a democratic system but instead within a hierarchical structure of subordination. To this extent, democracy was necessarily marginal to the actual political system in which the members of the demos lived their daily lives. Thus the transfer of the Lockean view to the corporation was a double triumph. By making ownership the only, or at least primary, source of legitimate control over corporate decisions, the new order not only excluded democratic controls in the internal government of the enterprise but placed powerful ideological barriers against the imposition of external controls by a government which, for all its deficiencies, was much more democratic than were the governments of business firms.

The fourth and fifth commitments extended the domain of hierarchy even further. To be sure, from the New Deal onward the commitment to a welfare state helped to reduce the autonomy of economic enterprises. By protecting the rights of workers to join unions and bargain collectively with employers, the New Deal helped to democratize some aspect of some enterprises for some em-

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ployees. By regulatory devices of various kinds it also reduced the autonomy and thus the arbitrary and sometimes despotic power of the rulers of economic enterprises. However, if the commitment to a welfare state has altered it has not profoundly reduced the two adverse consequences of the corporate capitalist order mentioned a moment ago. The evidence seems to show that what appear to be great changes in levels of taxation and transfer payments have not much reduced the inequalities in the distribution of wealth and income and thus the relative political advantage or disadvantage associated, at least loosely, with access to these resources. And except for the limited effects of trade unions among a minority segment of the labor force, the American commitment to a welfare state has not done much to alter the hierarchical structures of corporate government under which so many Americans live.

In fact, the commitment to a welfare state has added even more burdens to democracy. For one thing, the reforms undertaken in behalf of the commitment could not be carried through without the leadership of an energetic president, who could increase, organize, and exploit all the political resources of the office. If we want to find the recent rather than the Jacksonian origins of the imperial presidency, as good a place as anywhere to begin is the presidency of Franklin Roosevelt. Among other things, what his presidency did was to disarm most intellectuals and academics, not least political scientists, who, being mostly in favor of reform, enthusiastically came forward with whatever was needed in the way of a justification for enhanced presidential power. Moreover, in order to achieve its gains, the welfare state needed extensive governmental bureaucracies. Even if these are never fully controlled by official hierarchies, or for that matter, by anyone else, they do provide an ambitious president with very considerable political resources—far beyond anything the framers ever dreamed of—for persuasion, inducement, manipulation, and coercion. By now this proposition needs no documentation beyond what Watergate has furnished us. Finally, like the governments of corporate enterprise, the bureaucracies in the government of the state are also hierarchical in structure. Far from diminishing hierarchy, therefore, even in the course of regulating economic enterprise the welfare state has multiplied the number, domain, and scope of hierarchies in American life.

The fifth commitment, of course, compounded these consequences adverse to democracy. As an active world power, the country had need—at first quite suddenly—of a large military establishment, thus still another hierarchy, even more rigidly hierarchical than the rest, one perhaps even more difficult to control, yet available to the president for executing foreign and military policies that could be, as events were to show, the arbitrary and personal expressions of a chief executive whose decisions on these matters were for all practical purposes beyond the control of Congress, the courts, or the demos. In a further irony, constitutional language and interpretation had left a substantial gap in the framers' imposing array of checks and balances. Successive presidents plunged through and widened this gap. By action and inaction, the Congress, the courts, and the

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demos—cheered on, it has to be said, by political scientists, historians, lawyers, and other intellectual spokesmen who should have known better—all gave their blessing to the emerging imperial presidency. It took national shame, disaster, scandal, and prolonged investigation to make us realize what sort of an institution the presidency had become.

To understand these changes in the presidency it is important to keep in mind that for the better part of two generations this country was involved in war, near-war, war crisis, or cold war. Three decades of war would be enough, one might think, to undermine a weaker republic. Perhaps we should consider ourselves lucky that our first two commitments held as well as they did. Even so, as a world power things were done and widely thought to be justified that surely would have been condemned as unjustifiable in less paranoidal circumstances. An obsession with national security and loyalty fostered secrecy in government, the enormous expansion of domestic spying, the harassment of radicals, and other excrescences. And even if some important reforms were carried out, mainly with respect to civil rights, these decades were on the whole unfavorable to reform, and certainly to any changes that might seem to question the validity of our historic commitments.

The Doctrine of Procedural Democracy

If we were now to search for a perspective on our potentialities as a people that would not be distorted either by self-glorification or self-hatred, that recognized our capacities for great evil, great good, and plain mediocrity, and discerned in the conflicting commitments of our past that weigh heavily on our present some criteria of excellence against which to measure our achievements in the future, where would we begin?

We might begin near the beginning, with our first two commitments. Ignoring for a moment the contradictions described earlier, these may be interpreted as an aspiration toward a society with a political system in which liberty, equality, and justice would jointly prosper, a society therefore requiring also a socioeconomic system that would foster these ends by supporting the kind of policy necessary to them. Thus interpreted, these two commitments would give priority to political ends over economic ends, to liberty, equality, and justice over efficiency, prosperity, and growth, a priority that the commitment to corporate capitalism reversed both in ideology and in practice, and which has remained reversed down to our own day.

The guiding criteria against which to measure political performance implied by this interpretation are, in the author's view, the criteria of procedural democracy, which, together with their most crucial assumptions, constitute what one might call the doctrine of procedural democracy. What follows is a very brief and incomplete account of that doctrine.

To become fully operative with respect to any association, the doctrine of

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procedural democracy presupposes a judgment that at least two conditions exist among some set of persons who constitute or intend to constitute an association.

First, there is a *need for collective decisions* binding on the members of the association. That is, this set of persons is confronted by a matter which they think it would be disadvantageous to leave entirely to individual action or to choices made exclusively through a market, and comparatively advantageous to make collectively and enforce on the members.

Second, among the persons obligated to abide by collective decisions on this matter, there is a subset, the *demos*, whose members are *roughly equally qualified, taken all around*. That is, no member of this qualified subset, or demos, believes that any other member of the association or any subset of persons different from the demos is significantly more qualified than the demos to arrive at a correct choice with respect to matters requiring collective decisions. Under the *maximal* interpretation, the members believe that the demos includes all qualified members of the association and all members of the demos are in all relevant characteristics equally qualified with respect to matters requiring collective decisions. Under the *minimal* interpretation, no members of the association are in any relevant characteristic so clearly more qualified as to justify their making the decision for all the others on the matter at hand.

A government of any association in which these conditions are judged to exist is, on these matters, a *putatively democratic government in relation to its demos*. Thus a judgment that these conditions exist implies a rejection of claims that might be advanced on behalf of a government over the demos on these matters by a putative aristocracy, meritocracy, or governing elite.

The doctrine of procedural democracy holds that for any putatively democratic government, collective decision making by the demos should satisfy at least three criteria:

1. The criterion of *political equality*. The decision rule for determining outcomes must equally take into account the preferences of each member of the demos as to the outcome. To reject this criterion is to deny the condition of roughly equal qualification, taken all around. This criterion implies that the procedures and performance of any putatively democratic government ought to be evaluated according to the extent to which the preferences of every member of the demos are given weight in collective decisions, particularly on matters members think are important to them.
2. The criterion of *effective participation*. In order for the preferences of each member of the demos to be equally taken into account, every member must have equal opportunities for expressing preferences, and the grounds for them, throughout the process of collective decision making. This criterion implies, then, that any putatively democratic government ought to be evaluated according to the opportunities it provides for, or the costs it imposes on, expression and participation by the demos.
3. The criterion of *enlightened understanding*. In order to express preferences accurately, each member of the demos ought to have adequate and equal opportunities for discovering and validating, in the time available, what his or her

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preferences are on the matter to be decided. This criterion thus implies that any putatively democratic government ought to be evaluated according to the opportunities it furnishes for the acquisition of knowledge of ends and means, of oneself and other selves, by the demos.

Any government that satisfies these criteria, and only such a government, is *procedurally democratic in relation to its demos.*

As the doctrine is interpreted here, the demos defines itself. This is one of the most tricky and difficult aspects of democratic theory and practice. Because the demos defines itself, it need not include all the members of the association who are obliged to obey its rules. Whenever this is so, some members of the association, who are excluded from the demos, will also be excluded from the rights, opportunities, and protections of procedural democracy. Probably no association that has ever attempted to constitute a government for a state has admitted children into the demos. Now if children are excluded from the demos because they are judged to be unqualified, and yet are subject to the laws, then of course they are governed without their consent. Yet few of us would argue that the interests of children, inadequately as they are often protected, would be served better if they were made full voting members of the demos. To protect the rights, needs, and interests of children, we must rely not on procedural democracy but on the strength of adult feelings toward children of love, nurturance, pity, joy, compassion, and hope, and on laws and practices that these feelings may foster.

It is a very different matter with adults, among whom these feelings are ordinarily much too weak to ensure adequate protection for those who may be excluded from the demos. Consequently, we need to make explicit in the doctrine a proposition that has often been omitted or obscured. To do so requires a fourth criterion, that of *inclusiveness.* The demos includes all adults who are obliged to obey the rules of the association. Because the demos is inclusive, the criteria of procedural democracy apply to all the adults. Any government that satisfies all four criteria might be called a *full procedural democracy.*

One further point: probably no one who believes that full procedural democracy is a relevant aspiration thinks that it must hold for all matters, including judgments on highly technical, judicial, and administrative matters of every kind. Rhetorical assertions that seem to make procedural democracy the only proper method of making decisions have again and again been shown to be illusory and self-defeating. Yet as with the problem of inclusion, there is an exceptionally tricky problem here, one that can be dealt with only summarily in this article by stipulating a fifth criterion, that of *final control by the demos* ("popular sovereignty"). That is, the scope, domain, and procedures for making decisions other than by full procedural democracy are subject to decisions made by full procedural democracy. An association that satisfies all five criteria might thus be called a *fully democratic association in the procedural sense.*

Before turning to the implications of this doctrine for the United States, let us consider several objections. It is often said that procedural justice, and thus procedural democracy, does not guarantee substantive justice. This is true. It is

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said further, however, that as a consequence substantive justice should take priority over procedural justice and therefore over procedural democracy. This is partly right but mainly wrong. It is partly right because procedures should be judged by the ends they serve. Procedures that do not tend toward good ends cannot be judged good procedures. But the criticism is mainly wrong in implying that other solutions, particularly solutions that accept the claims of a putative governing elite, are more likely to lead to substantive justice. This is rarely a better short-run solution and practically always worse in the longer run. Finally, it is said that procedural democracy is in any case too anemic in its standards to compel us toward the robust aspirations of our nobler selves, for it speaks only to process and thus says nothing about the content of a good society. This criticism is only partly right in its premise and thoroughly wrong in its conclusion. It is obvious that all societies, including our own, fall very far short of satisfying the criteria of procedural democracy. If we in this country are to reduce the gap between criteria and performance in a large way, we shall have to make changes of great moment. What is more, these changes will have the effect of satisfying many of the claims for substantive justice as well. Such claims as could remain would constitute the very essence of healthy controversy —controversies that are properly adjudicated by means of procedural democracy and not by yielding to the claims of a putative governing elite or allowing a minority to impose its views on a majority.

Needs and Prospects

Suppose we were to interpret our first two historic commitments, taken together and after eliminating the inconsistencies, as a commitment to procedural democracy. Suppose further that we were to test our commitments against the requirements of this doctrine. Suppose, finally, that we resolved to move toward procedural democracy by reducing obstacles to it, at any rate up to some limit at which the trade-offs in other values became excessive. Given these suppositions, what changes would we make? Of course, not everyone accepts these suppositions; and even if they did, we might disagree about the answers. We might disagree both because the location of the limit at which trade-offs become excessive cannot be satisfactorily described in a precise way, and also because different persons will evaluate the trade-offs differently and thus reach different judgments about the location of the limit.

Nonetheless, it is possible to specify some directions in which changes are needed. At the outset these require changes in the way we think about ourselves and our institutions.

Consider the liberal thrust of the first historic commitment, to the preservation of morally inalienable rights. Such rights are assumed to be beyond the reach of government, and superior to any claims to other rights that conflict with them. But it has never been clear what rights are to be understood as inalienable or primary, and what rights are secondary and alienable, and hence must yield

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when they conflict with primary rights. The difficulty is that the grounds are not at all clear on which the distinction between primary and secondary, or inalienable and alienable rights, is to be made and justified.

Yet the conditions and criteria contained in the doctrine of procedural democracy are very rich in their implications for rights. For example, any judgment that the conditions for a putatively democratic government exist among some set of persons asserts a right to a government that satisfies the criteria of procedural democracy. Obviously, an assertion never establishes the validity of a claim. As with other rights, there is no automatic, self-enforcing determination of the validity of a claim. Judgments have to be made, and among a large number of people such judgments will rarely be unanimous. Claims may be rejected, justly or unjustly. Rights asserted usually have to be fought for.

Consider claims advanced on behalf of adults excluded from the demos that they are qualified to participate in American political life. The whole burden of American experience demonstrates not only that any group of adults excluded from the demos will be lethally weakened in its own defense, but also that those who govern will fail to protect the rights, needs, and interests of the excluded group. There is no convincing evidence in American history for the existence of one group of adults qualified to rule over adults who are excluded from full citizenship in the demos.

Yet for 200 years after the lovely universalistic phrases of the Declaration, the wellsprings of American national life were poisoned by the denial of claims to full citizenship, and by the injustice and oppression this denial entailed. To reject these claims, as American policy and practice did, was in effect to deny that full procedural democracy ought to exist in the United States. If we are now on, or past the threshold at which these claims are finally accepted as valid, then we are also obliged to accept the criteria of procedural democracy as valid measures of our national performance.

These criteria imply the existence of a body of primary rights, the rights necessary, though not sufficient, if a people is to govern itself. It could be readily shown that this body of primary rights must include most, though not all, of the rights and liberties the Supreme Court has held to be protected by the Constitution. As long as the primary rights necessary to procedural democracy exist, then all the political rights exist that are necessary if a people is to govern itself. Surely no narrower definition of inalienable rights ought to be acceptable to us. At the same time, however, any broader definition that includes rights inconsistent with these primary rights ought not to be acceptable to us. For to claim a right inconsistent with the primary rights necessary to procedural democracy is to deny the validity of procedural democracy and thus the capacity and right of a people to govern itself. If doctrine and practice were to treat these primary rights as inalienable, then all claims to rights inconsistent with these primary rights would be subject to final determination by the ordinary processes of collective decision making, and thus by voters, representatives, and legislators. To hold otherwise would be to deny that, taken all around, citizens are roughly

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equally qualified to make judgments on matters involving secondary rights. But since practically any public policy will infringe upon someone's existing privileges and thus give rise to a claim that a right has been diminished, if citizens are held to be incompetent on all matters involving secondary rights, what matters are they qualified to decide?

Viewed in this light, the commitment to corporate capitalism needs to be reconsidered. Earlier, when the framers had discussed their fears about majorities that might invade the rights of minorities, more often than not they mentioned rights to property. Their reasoned justification of a right to property, if they held one, would no doubt have been Lockean. Yet the Lockean justification of property makes no sense, it was suggested earlier, when it is applied to the large modern business corporation. It is absurd to regard as inalienable one's right to buy and thereafter own shares in ITT, and it approaches the ridiculous to argue that because one owns shares in ITT one possesses an inalienable and exclusive, if in practice quite useless, right to choose the directors of the firm, and that the primary legal obligation of the directors and management is, by a legal extension of the original doctrine, to protect the interests of owners above those of any other claimants.

If we abandon the absurdities in extending Locke on private property to ownership or control of the modern business corporation, then the rights of owners must be seen as secondary in relation to the primary rights that are necessary to self-government.

If ownership and control of corporate enterprise are matters of secondary not primary right, then the mere assertion of a right to private property does not provide a rational justification for private ownership of a large economic enterprise. If privately owned enterprise can be justified at all, it must be on the grounds of comparative social effectiveness: that is, of all the possible alternatives, this form provides the greatest social advantage with least social disadvantage. The only question we need to ask, then, is whether a privately owned corporation is more effective in achieving our social purposes, including procedural democracy, than all the possible alternatives to it.

In this perspective, any large economic enterprise is in principle a public enterprise. It exists not by private right but only to meet social goals. Questions about these social goals, and the comparative advantages and disadvantages of different forms, are properly in the public domain, matters for public discussion, choice, and decision, to be determined collectively by processes that satisfy the criteria of procedural democracy.

To be sure, none of this implies a direct answer to the question of how a large enterprise should be organized, controlled, or owned. To arrive at a correct answer depends as much on technical as on philosophical or ideological judgments, and perhaps a good deal more. Although this assertion contradicts a nearly universal dogma held on all sides, it is readily demonstrable by even the briefest consideration of the range of alternatives. If we were to take into account only the most obvious possibilities with respect to the internal government of enter-

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prises, external controls, markets, prices, and the locus of ownership together with the rights and obligations of owners, we would quickly arrive at a very large array of theoretically possible combinations. Few of these can be dismissed a priori as unsuitable. Probably none can be shown to be superior to all the others in all circumstances. Consequently what has already become standard practice in advanced countries in this century will, one hopes, be taken for granted by citizens in advanced societies in the twenty-first century: a complex society cannot protect the rights, needs, and interests of its people with one single, prevailing form of economic organization but requires instead a network of enterprises organized in many different combinations of internal government, external controls, and ownership.

However, in choosing among the large number of possible combinations available in any particular instance, citizens of a country committed to procedural democracy would obviously want to avoid consequences adverse to procedural democracy. Earlier it was suggested that this country's commitment to corporate capitalism resulted in at least two such adverse consequences. As to those resulting from the unequal distribution of political resources, a country committed to procedural democracy must either place effective limits on the extent to which economic resources can be converted into political resources, or else ensure that economic resources are much more equally distributed than they are in the United States at present. So far we have tried only the first; that approach has largely failed. Perhaps it may prove possible by regulation to reduce the direct and indirect impact on political equality, effective participation, and political understanding of vast differences in income and wealth, but the record so far is dispiriting. It is time—long past time—to consider the other approach. Moreover, considerations of substantive distributive justice would seem to require a considerable reduction in inequalities in wealth and incomes. At the very least, the question of distribution of wealth and income ought to be high on the agenda of national politics.

As to the second of the adverse consequences of corporate capitalism, the enormous expansion of hierarchical systems of control, we need to be open to new ideas about governing economic enterprises and to a rapidly growing body of experience and experiments in this country and abroad. The author believes that the requisites of procedural democracy hold among the people who work for economic enterprises, and that the criteria of procedural democracy ought therefore to be applied to the government of firms. But a reasonable claim can be made for each of many other possibilities. Moreover, it seems obvious, though often ignored, that forms of control are not fully determined by forms of ownership. Government ownership is as consistent as private ownership with despotic control of enterprises. The form of control should be treated as a problem that is prior to the question of the form of ownership. What is a desirable form of ownership ought to be viewed, at least in part, as subordinate to and dependent on a judgment as to what is a desirable form of control. In any case, the range

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of alternatives this country ought to consider and experiment with is really quite broad and needs a great deal of systematic study.

Let us now turn back to the fourth and fifth historic commitments of the United States mentioned earlier. It is not an excessively harsh judgment to say that over three decades the presidency was transformed into a kind of plebiscitary principate with despotic tendencies toward arbitrary, ruthless, and self-aggrandizing exploitation of power. What is more, the other major political actors, including the Congress, the Supreme Court, the parties, the electorate, and the most active and attentive political strata all collaborated in that transformation. Only with the utmost reluctance and in the final hour was the Congress compelled to rediscover in the impeachment process a constitutional means for firing a president guilty of criminal acts. Now that impeachment has been used successfully and shown to be effective and salubrious, it is not too much to hope that the machinery will be kept oiled and ready for use. No president should ever again forget that he or she is anything other than the chief executive officer of a democratic republic.

If one part of the Constitution has proved to be workable, the fact that there was a need for impeachment proved how badly the constitutional system had been working. Yet nothing has changed in the fundamental institutional structure itself to reduce the pressures toward the pseudo-democratization of the presidency. For it still remains true that without a strong concentration of political resources in the presidential office, the policies preferred by a majority of citizens and their elected representatives stand a good chance of defeat by a well-entrenched opposition. Not only is this arrangement inconsistent with procedural democracy but it is arbitrary and unfair in its substantive results. Moreover, taken over any considerable period of time the evidence does not show that these minority vetoes constitute a defense of primary rights; rather, they tend to ensure the triumph of secondary rights or privileges over primary rights.

Taking all these problems into account, political scientists need to begin a serious and systematic reexamination of the constitutional system much beyond anything done up to now. They need to give serious and systematic attention to possibilities that may initially seem unrealistic, such as abolishing the presidential veto; creating a collegial chief executive; institutionalizing adversary processes in policy decisions; establishing an office of advocacy to represent interests not otherwise adequately represented in or before Congress and the administrative agencies, including future generations; creating randomly selected citizen assemblies parallel with the major standing committees of the Congress to analyze policy and make recommendations; creating a unicameral Congress; inaugurating proportional representation and a multiparty system in congressional elections; and many other possibilities. Unfortunately, designing a constitution is very far from an exact science. It is questionable whether the best political scientists, or for that matter citizens drawn from any source, have

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the knowledge and skills to excel the performance of the framers. Probably we do not even know how best to proceed toward the cultivation of the knowledge and skills of constitution making that we or our successors may one day be expected to provide.

The difficulty of arriving at knowledge of this kind points directly to the most challenging of the criteria of procedural democracy, the criterion of enlightened understanding. The criteria of political equality and effective participation are intended to ensure that citizens have a final say as to the goals that effectively determine the ends of public policy, and whenever they wish, a final say as to the means as well. But if a people were to meet these criteria perfectly and yet meet the criterion of enlightened understanding badly, the democratic process would be irrelevant to their preferences, needs, and interests. For if people regularly choose means that impede rather than facilitate attaining their goals, or if they invariably choose goals that damage their deeper needs, then of how much value is the process?

The criterion of enlightened understanding is not only the most difficult to meet but the most resistant to precise statement. Every key word in the criterion as it was presented earlier is ambiguous, and the concepts the words are intended to signify are difficult and complex. However, even if it might well be impossible to define the criterion so rigorously as to specify quite precisely what we would regard as a condition of satisfactory fulfillment, it is a much less difficult task to judge when the criterion is *not* satisfactorily met and what some of the obstacles are. Surely it is far from being satisfactorily attained in this country and elsewhere.

In a loose and general way, it is obvious that if people are to know their preferences, they need knowledge both of means and ends. Adequate knowledge of means and ends requires an understanding not only of the external world but also of the inner world of the self.

It seems obvious too that if citizens are to understand the external world, they must have access to experts. It may have been realistic for Rousseau or Jefferson or the framers but it would be profoundly unrealistic today to expect citizens, even highly educated ones, to have enough technical knowledge. Think of the complexities of current policy decisions: breeder reactor, B-1, Trident, Middle East, catalytic converter, inflation-unemployment trade-offs, rate of increase in the money supply, costs and administrative problems of alternative health care arrangements, SST, Amtrak, limitations on artificial losses, outer continental shelf. . . . Most of the time all of us are ordinary citizens without a great deal of technical knowledge about matters like these. Consequently, whatever may have been the situation in previous centuries, in our own and surely in the next, it is foolish to think that the demos can achieve its purposes without experts.

Yet even in the best of circumstances experts are hard to control. Decisions as to means can also determine ends. Democracy only for general ends and meritocracy for means will soon become meritocracy for both means *and* ends. Thus if

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the demos is to retain final control over ends, citizens will also need responsible and responsive intermediaries—quasi-experts—to help them hold experts accountable, and to gain an adequate understanding of their own basic rights, needs, and interests, and of the policies best designed to satisfy these needs. Even if all our elected officials were to perform this intermediary role well—and many do not—they would not be enough. We need quasi-expert intermediaries spread among the whole body of citizens, so that every citizen has ready access to technical understanding. While it is surely asking too much to expect that most citizens can be experts on many of the issues of national politics, it is not foolish to hope that one day almost every citizen might be sufficiently informed about some of the issues so that a less informed citizen could readily turn to a more informed fellow citizen, a quasi-expert, for a responsible clarification of the matter at hand.

When we turn toward the inner self and ask what we need in order to understand the needs and interests of the self, including those crucial aspects of oneself that are inextricably bound up with and require a sympathetic understanding of other selves, we confront a question to which the answer is inescapably open-ended. The answer must be open-ended because at any given moment human consciousness is necessarily limited by itself, that is, by its own condition. It seems not wildly unrealistic to hope that in the epoch ahead, human consciousness will change profoundly, and that what we might now consider as enlightened understanding, and the best ways to reach it, will be seen by our successors in a vastly different perspective. If mankind is spared as much time as separates us from Socrates, or even as brief an interval as separates us from the historical situation that necessarily limited the understanding of Mill, Lincoln, Freud, and Marx, we cannot say what vast transformations human consciousness may undergo. The criterion of enlightened understanding beckons us forward but it cannot tell us what we shall discover.

It goes without saying, of course, that the world is full of the most acute dangers to human progress and even to human survival. More perhaps than at any time in some millions of years, the prospects of humankind depend on the outcome of a perilous race in which the growth of an enlightened understanding of ourselves and our universe is pitted against the consequences of actions taken out of ignorance or misunderstanding of our most fundamental needs and interests.

No matter what it does, this country alone cannot ensure a successful outcome to that race, though we can by our own unaided mistakes cause a fatal outcome. Some Americans may be tempted to conclude that in a world so hazardous, our salvation and that of the world require us to bring the rest of humanity rapidly around to our way of thinking. But experience suggests that when Americans, or anyone else for that matter, begin to talk about a national mission to save the world, it is time for everyone to run for cover. Instead, one might propose a very different approach. If we want to move a bit closer toward the best standards

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to which we are already committed by our national experience, a good way to start is not so much by trying to change others as by changing ourselves.*

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The Decline of the Party in American Elections

GERALD M. POMPER

Political parties, along with mass elections, have been the hallmarks of modern popular democracy. The relationship between elections and democracy is obvious, even tautological. We do not properly speak of American democracy until the achievement of white male suffrage in the Jacksonian period, or of British democracy until the enfranchisement of the working class in 1867. It is also true that the development of competitive political parties has paralleled, and often preceded, growth in popular participation. Thus, the end of one-party Republican rule in 1824 stimulated America's expansion of the suffrage, as the competition of the parliamentary Liberal and Conservative parties promoted the extension of voting rights to English labor.

The historical union of parties and mass politics continues in modern times. National independence movements are typically led by a political party which sponsors and then employs mass suffrage to further freedom from colonial rule. The Congress party of India, the Mapai in Israel, and the Neo-Destour in Tunisia, are among the many examples provided by the twentieth century. Moreover, it is precisely these exemplary movements that have combined their own institutionalization with popular expansion and, thereby, have provided the most stable governments.[1]

[1] Samuel P. Huntington, *Political Order in Changing Societies* (New Haven, Conn., 1968), chap. 7.

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Parties, Elections, and Democracy

The joining of parties and democracy is not only historical but also often viewed as logically necessary. The principles of democracy—popular sovereignty, political equality, popular consultation, and majority rule—require partisan institutions for their realization. James succinctly points to their crucial role in democratic practice:

> The problem is how to organize and structure the relationship of the people to their agent, the government. Only if people control the government are they citizens. If the government can manipulate their responses, the people are only subjects. Classical democratic theorists did not pay a great deal of attention to the problems of staffing and operating the governmental institutions they prescribed. In doing so, they virtually ignored politics, the activities and processes by which governmental policies are developed, influenced, decided, and enforced.[2]

Parties are found to fill this deficiency in prescriptive democratic theory. Once they were regarded as unhealthy challengers of national unity or, at best, tolerated as an undesirable but inevitable product of political freedom. Only recently have they become accepted as an accurate index of the existence of democracy itself, as much a part of its definition as mass suffrage.[3] Indeed, Duverger concludes, "liberty and the party system coincide. . . . The rise of parties and especially of working-class parties has alone made possible any real and active cooperation by the whole people in political affairs."[4]

In the acknowledged close relationship of parties and elections and democracy, the focus has been on the effect of parties on elections. Parties have been analyzed as fulfilling basic functions for a democratic system. Thus, Ranney and Kendall make "organizing elections" the first of four roles performed by the American party system. "A community, we have learned, needs *some* agency or agencies (a) to define the alternatives open to it, (b) to make clear to the voters what actually is involved in the choice among those alternatives, and (c) to encourage them to use their sovereign power to make the choice for themselves. . . . In the United States, as in the other democracies, the *parties* have taken on these tasks."[5]

Like others, these authors also mention other roles and functions of the parties, such as organizing government, promoting democracy, and nurturing consensus. Some writers have stressed a "constituent" role for parties[6] or urged a greater influence on public policy.[7] In most of the literature on American poli-

[2] J. James, *American Political Parties in Transition* (New York, 1974), p. 7.

[3] R. Hofstadter, *The Idea of a Party System* (Berkeley, Calif., 1969).

[4] M. Duverger, *Political Parties* (New York, 1954), p. 424ff.

[5] A. Ranney and W. Kendall, *Democracy and the American Party System* (New York, 1956), p. 505.

[6] T. Lowi, "Party, Policy and Constitution in America," in W. N. Chambers and W. D. Burnham (eds.), *The American Party Systems* (New York, 1967).

[7] American Political Science Association, Committee on Political Parties, "Toward a More Responsible Two-Party System," *American Political Science Review*, 44 (supplement) (1950).

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tics, however, the stress has been on the electoral functions of the parties—the recruitment and nomination of candidates, the writing of platforms, however vague, and the consequent framing of policy directions, the conduct of campaigns, and the staffing of electoral machinery. "In a word, the parties make the electoral process *work*,"[8] and this has been the major function performed by the parties.

There is abundant evidence of—and commentary upon—the impact of the parties on the electoral process. More unique is the impact of the electoral process upon the parties. A political feedback loop has become evident recently, in which the nature and outcomes of elections affect the parties, leading to new influences upon succeeding elections, and further consequences for the parties themselves.

The net result of this process is the decline of partisan politics, most evidently in the choice of the president. The process has now reached the point at which the American political party is little more than one of many groups, not greatly disparate in their influence, which participate in elections. The party has been reduced from a quasi-public agency to a private association. Once a source of power, it has become another contestant for power in the pluralistic system.

The Party Past

This decline can be easily noticed if we briefly review the position parties held in the electoral process through most of American history, even as recently as the end of World War II. Parties then typically possessed either legal or practical monopolies of three vital factors: legitimacy, resources, and recruitment.

The legitimacy of parties was evident in the loyalties expressed by the voters. Americans were fiercely loyal to the two major parties, whatever their labels in any particular historical era. Most voters retained the same party attachments throughout life. Although periodically disrupted at times of critical realignment,[9] even these realignments could be explained more by generational change than individual conversion.[10]

The depth of affection could be located in political humor, which abounds in stories such as that of the Irish family in Boston in which all the children developed well, except for the black sheep who became a Republican. It can be found in the accounts of the "militaristic" period of the nineteenth century, in which partisans were as devoted to the Republican and Democratic standards as their fathers in the Civil War has been loyal to the Union and Confederacy.[11] It can be found in the aggregate election statistics, in which communities re-

[8] Ranney and Kendall, *Democracy and the American Party System*, p. 505.

[9] V. O. Key, "A Theory of Critical Elections," *Journal of Politics*, 17 (1955), 3–18.

[10] P. Beck, "A Socialization Theory of Partisan Realignment" in R. G. Niemi (ed.), *The Politics of Future Citizens* (San Francisco, 1974), pp. 199–219.

[11] R. Jensen, *The Winning of the Midwest* (Chicago, 1974).

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turned virtually the same vote for each faction year after year, and ticket splitting or "drop off" in the vote at one end of the very long ballot was almost undetectable.[12] It can be found in modern survey data, in which up to 90 percent of the national samples of the 1950s identified consistently and openly with the major parties.[13]

Parties classically possessed not only legitimacy, but resources. One resource was access to the ballot itself, as the formal rules (written by party-dominated state legislatures) essentially eliminated nonparty candidates, even after adoption of the Australian ballot. Campaigning resources were also controlled by the parties, most evidently when precinct canvassing and turnout were the principal means of winning votes. The financing needed for elections was another party resource, with money raised and spent by party committees or individuals closely associated with these organizations, and independent organizations existing largely as means to evade unrealistic and unenforceable spending ceilings.[14] Patronage provided a means of supplying and multiplying these resources. Spoilsmen reinforced the party monopoly of governmental positions, campaigned for the organization, and contributed to its coffers.

The channels of political recruitment were also dominated by the parties. For most governmental offices in the United States, distinct ladders of political advancement could be located, with the rungs of the ladder held together by the party organizations.[15] Distinct regional patterns could be found as well, such as the apprenticeship system practiced by the Chicago Democratic organization.[16] In the Senate, in the ten-year period after the World War II, only 9 percent came to the body without previous political office.[17] Party domination of recruitment was evident in the highest office, the presidency, as well. Except for victorious generals, every national candidate advanced through a number of party positions before receiving his nomination. Precise rules of "availability" existed and served to explain "why great men are not elected president."[18]

Party domination of the presidential electoral process was based on these monopolies of legitimacy, resources, and recruitment. It can be illustrated by the nominations of 1932, the last year before the modern period of presidential races. In the incumbent Republican party, President Herbert Hoover was easily renominated despite his ineffectiveness in coping with the Great Depression. In control of executive patronage, he was able to keep the state parties in line

[12] W. D. Burnahm, "The Changing Shape of the American Political Universe," *American Political Science Review*, 59 (1965), 7–28.

[13] A. Campbell, P. Converse, W. Miller, and D. Stokes, *The American Voter* (New York, 1960), p. 124.

[14] A. Heard, *The Costs of Democracy* (Garden City, N. Y., 1962).

[15] J. A. Schlesinger, *Ambition and Politics* (Chicago, 1966).

[16] M. Snowiss, "Congressional Recruitment and Representation," *American Political Science Review*, 60 (1966), 627–639.

[17] D. Matthews, *U. S. Senators and Their World* (Chapel Hill, N. C., 1960), p. 51.

[18] J. Bryce, *The American Commonwealth*, 3d ed. (New York, 1914), Vol. 1, p. 80.

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and to ignore the signs of popular discontent evident in the few, and ineffective, state primaries.[19]

In the Democratic party, Franklin D. Roosevelt used the traditional base of the governorship of New York to win friends in party organizations throughout the nation, while largely ignoring primary contests. A contentious convention was capped by an explicit deal for the vice-presidency, bringing Roosevelt the nomination on the fourth ballot.[20] The campaign was conducted through the party organizations, with funds raised by them or closely allied committees, and with the issues largely confined to the conduct of the incumbent Hoover administration. Even though the election would ultimately be seen as one stage in a process of critical realignment, voting patterns showed significant continuity with the recent past: the ecological correlation of the vote, using states as units, reached the considerable level of .85, indicating the persistence of past loyalties even in this period of change.[21]

The Modern Electoral Process

The contrast of this historical sketch with the modern election of the president is so great that we are really dealing not simply with a changed system, but an essentially different process. The differences are evident in five aspects: recruitment, strategies of nomination, campaign finance, national conventions, and electoral behavior. In each, considerable change has already occurred, and the effect of these changes is likely to be further deterioration of the parties in the future.

Presidential Recruitment

Presidential recruitment has changed in both its character and its sources. Campaigns for the White House now begin essentially through a process of self-selection and depend for their success on the development of organizations personally bound to the candidate. In what is perhaps the archetype of the modern campaign, that of John Kennedy in 1960, nine persons were critical: three members of the family, four personal friends and staff members, a public opinion analyst, and only one professional politician, John Bailey.[22] These persons had not been chosen because of their party positions. They were persons personally selected by the candidate to advance his personal career. As White summarized the process:

> John F. Kennedy in his fourteen years in politics has had many servants, many aides, many helpers. As he has outgrown each level of operation, he has gently

[19] R. Bain, *Convention Decisions and Voting Records* (Washington, D. C., 1960), p. 234ff.
[20] J. A. Farley, *Behind the Ballots* (New York, 1938), pp. 132–153.
[21] G. Pomper, "Classification of Presidential Elections," *Journal of Politics*, 29 (1967), 566.
[22] T. H. White, *The Making of the President 1960* (New York, 1961), pp. 59–63.

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stripped off his earlier helpers and retained only those who could go with him effectively to the next level. These men here assembled were those who had survived a decade of Kennedy selection.[23]

Since 1960, the importance of these personal organizations has become even more evident. Their character has evolved even further from coalitions such as John Kennedy's, based on personal loyalties. Increasingly they are based on relatively formal and contractual relationships, in which the candidate receives the services of strategists, media experts, pollsters, and other experts in exchange for a commercial fee or the opportunity of power. There is "a new kind of loyalty very much like 'bastard feudalism.' No longer does a clever and idealistic young man gravitate automatically into the sphere of a local leader. . . . He can join 'the Kennedys,' or he can attach himself to the retinue of some other 'good lord' who can promise high adventure and reward."[24]

The sources of presidential recruitment have changed as well. The traditional national candidates such as Roosevelt, were the governors of large states. Their success in obtaining nominations had many sources, including their ability to evade the difficult decisions of national policy. A more important reason, however, may have been their command of the crucial resources of delegate votes at the national conventions. When state parties controlled their own means of delegate selection, the governor of a large state such as New York could be assured from the beginning of at least 15 percent of the number needed for victory.

The situation has altered dramatically. In the period since Roosevelt's first nomination, the most important base for presidential candidates has become the vice-presidency, once deprecated as "not worth a bucket of warm spit." Every vice-president in this period has become a presidential possibility, and a third of all nominations for the White House have gone to members of the group. In further contrast to the past, senators are more likely than governors to receive consideration, and they are almost as common as presidential nominees.[25]

In the past quarter of a century, only two governors have received their party's nomination, and both are exceptions that underline the loss of the traditional power of state parties. Adlai Stevenson was not selected because of his influence as governor of Illinois, but because he fit the needs of national party factions and interest groups for a unifying candidate. In 1976, the candidacy of Jimmy Carter is even firmer evidence of the decline of traditional bases of power. He surrendered state power long before the national convention. Although he received home state support, this support was due to a primary victory, rather than to party organization. He essentially lacked a local base of power, while he developed a transcending national constituency. Governors may still be nomi-

[23] Ibid., p. 63.
[24] L. Chester, G. Hodgson, and B. Page, *An American Melodrama* (New York, 1969), p. 233.
[25] W. Keech and D. Matthews, *The Party's Choice* (Washington, D. C., 1976), p. 18ff.

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nated for president, but not because they are governors. To the contrary, they must demonstrate that they are national, not state, figures.

Nomination Strategies

The Carter example leads to discussion of the second general change in the presidential electoral process, the new strategies of nomination. The basic change has been from strategies in which coalitions were based on geography, i.e., state parties, to those in which the coalitions are constructed from interest groups, demographic elements of the population, and issue publics. Candidates pursuing a purely geographical strategy have been remarkably unsuccessful, as illustrated by the universal failure of "favorite sons" in 1976. These candidates were unable to carry their home states if they were not viewed as serious national candidates as well. Thus Lloyd Bentsen was shut out in his native Texas and George Wallace seriously challenged in his Alabama domain. Conversely, even serious candidates cannot be assured that they will control their home states, as illustrated by the challenges to Wallace and to Californian Edmund G. Brown, Jr.

Even less successful are governors who seek to maintain control of their state delegations simply for bargaining purposes. Many observers had predicted a bargained Democratic convention in 1976 because of the assumed power of Democratic governors. In the event, no governor was able to maintain this control, as would-be kingmakers such as Hugh Carey in New York or Milton Schapp in Pennsylvania found themselves overwhelmed by the national tides flowing over their personal turfs. Only in the case of California could the governor exercise some control, even while losing a quarter of the delegation, but this relative success required a candidate with more than a parochial home-state appeal.

The presidential nominating campaign has been nationalized. No longer is it true that there are no national parties, only fifty state parties, as the old textbook cliché read. At least for the presidency it would be more accurate to say that there are no state parties, and perhaps no national parties as well. The state parties have largely and deliberately written themselves out of the presidential nomination. Beset by new and complex rules for the selection of delegates, many state organizations have simply left the choice and mandate of convention delegates to state primaries.

The parties' place has been taken by candidate organizations. As campaigners, these candidate organizations are far different from the locally centered groups of the traditional state parties. By the 1976 campaign, canvassing itself was being handled by out-of-staters. Hundreds of Georgians went to New Hampshire to campaign for Jimmy Carter, while large numbers of Michiganders rang Florida doorbells for President Gerald Ford. That this "carpetbagging" drew little attention and no criticism is quietly impressive evidence of the nationalization of the nominating process, and of its separation from local influences.

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Other large national forces are affecting the nominations. A principal means of campaigning is through the mass media. The standing of candidates is now certified not by their support among party leaders or their particular office but by a small group of reporters and commentators for newspapers, magazines, and television. "They are acknowledged experts, well connected in political circles throughout the land. Their reports appear in the nation's most prestigious newspapers and respected news broadcasts. . . . Collectively they are what columnist Russell Baker has called 'the Great Mentioniser,' the source of self-fulfilling stories that a person has been 'mentioned' as a possible presidential nominee."[26]

The national strategies of candidates are directed toward winning the notice of "the Great Mentioniser" and of the press generally, and then gaining more widespread public attention. Various tactics will be used to win this attention, since public opinion, and its measurement in the national polls, is usually decisive. Vital issues may be emphasized, as McGovern stressed Vietnam in 1972; or primary victories may be employed to demonstrate an attractive personality, as Carter did in 1976. Whatever the tactics employed, however, their common feature is that they depend little for their success on the support of party organizations.

Standing in the public opinion polls has become decisive in winning presidential nominations. With conspicuous exceptions, such as McGovern and Carter, the leader in the national polls before the primaries almost always goes on to win designation. Furthermore, it is virtually certain that the preconvention poll leader, even an insurgent such as McGovern or Carter, will be victorious in his party. To be sure, poll standings are affected by primaries and by direct support of the state parties, "but the strongest relations are the long-run effects in the opposite direction—the effects of national opinion on winning both the state primary elections and the presidential nomination."[27]

Candidates appeal to geographically diffuse constituencies, not to areal coalitions. The constituencies may be McGovern's opponents of the Vietnam war, or Ronald Reagan's ideological conservatives, or Carter's seekers for governmental purity, or Henry Jackson's laborites. Their common feature is their lack of local coloring. The diminishing impact of geography can also be seen in the convention decisions themselves. Until recently, there was a stable voting structure in both parties, in which the states could be consistently ordered along a single dimension.[28] In the Republican party, factions could be arrayed geographically and ideologically, from conservative to liberal, as in Table 1. Conservative candidates such as Robert Taft or Barry Goldwater received their support from the same end of this spectrum (largely southern and midwestern) and

[26] Ibid., p. 13.

[27] J. R. Beninger, "Winning the Presidential Nomination: National Polls and State Primary Elections, 1936–1972," *Public Opinion Quarterly*, 40 (1976), 37.

[28] F. Munger and J. Blackhurst, "Factionalism in the National Conventions, 1940–1964," *Journal of Politics*, 27 (1965), 375–394.

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TABLE 1

*Convention Candidates: Distribution of Votes for Selected Candidates, as Percentages of Their Total Votes**

	Conservative				*Liberal*	
Republican Candidates	*I*	*II*	*III*	*IV*	*V*	*N*
Eisenhower for president (1952)	8.3%	6.7%	8.3%	16.8%	59.9%	590
Goldwater for president (1964)	28.0	17.1	25.0	22.4	7.5	879
Nixon for president (1968)	27.0	17.2	25.3	12.6	17.9	673
Ford for president (1976)	20.3	6.8	13.9	8.4	50.6	1122

	Liberal				*Conservative*		
Democratic Candidates	*I*	*II*	*III*	*IV*	*V*	*VI*	*N*
Kennedy for president (1960)	28.9%	24.5%	19.3%	25.4%	0.5%	1.4%	685
Johnson for president (1964)	3.0	3.2	5.0	2.5	16.3	70.0	402
Humphrey for president (1968)	15.1	14.7	12.3	18.9	12.9	26.1	1689
McGovern for president (1972)	30.8	12.0	8.0	33.3	8.3	7.6	1676

*All votes are calculated before shifts. Alaska, Hawaii, and the territories are excluded.

liberals from the other end (largely eastern). In the Democratic party, with the direction reversed, liberals received most support from the Midwest and Far West, conservatives from the South.

This structure has not been evident since 1964. There is limited correlation between the 1968 and earlier results.[29] Furthermore, in the 1972 Democratic and 1976 Republican conventions, the break from past patterns persists. Previous correlations of convention votes over time reached .95. However, the reproductibility of convention results is only .73 for the Democrats in 1972 and but .60 for the Republicans in 1976.[30] Thus, we find such anomalies as midwestern opposition to the liberal McGovern and support for the more moderate Carter, California support of Reagan, and southern and midwestern endorsement of Ford.

Political Money

The decline of established partisan politics is further promoted by developments in campaign finance, most particularly the post-Watergate reform acts of 1974 and 1976. The full effects of the laws will not be known for some time,

[29] G. Pomper, "Factionalism in the 1968 National Conventions," *Journal of Politics*, 33 (1971), 826–830.

[30] The correlation is calculated as a Democratic comparison of McGovern's support, by states, with that of the combined Kennedy, Humphrey, and Stevenson vote in 1960, and a Republican comparison of Ford's support with that of Eisenhower in 1952. These were judged the most comparable previous convention alignments. The 1976 roll call is found in *Congressional Quarterly Weekly Report*, 34 (August 21, 1976), 2313.

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and they will certainly be different from both the intentions of Congress and the expectations of academic observers. The general effect, however, is already apparent. It is to shift money, the most vital resource of politics, from the parties to the control of individual candidates and to nonparty individuals and groups.

The new law, supplemented by the Supreme Court's interpretive decision of 1976, takes money away from the parties, while it provides finances for individuals and outside agencies. The parties are deprived of money by the limitations on individual contributors who may not give more than $1000 to any single recipient. The total amount of spending by a candidate or party is also limited. While the national party may spend $3 million, its presidential candidate is limited to $20 million, plus adjustments and fund-raising expenses. While these restrictions are easily justified as means of preventing corruption, their effect is to limit politicians rather than to restrict electoral spending generally.

In fact, the law and the Supreme Court do not limit the influence of money in elections—but rather only the influence of party money. Four aspects of the legislation are particularly important. Existing provisions provide for federal subsidies for campaigning, but these subsidies are paid to candidates, not to parties. With the candidates provided seven times the capital that is permitted parties, this provision promotes the increasing separation of national candidates from the parties. Furthermore, subsidies are paid only to presidential candidates, leaving the rest of the party from Congress to local office fiscally unrelated to the head of the ticket. As interpreted by the Supreme Court, moreover, even the limitations on spending may be ignored by a candidate who declines federal subsidies and raises his own funds. Therefore, candidates of personal wealth or with close connections to such wealth—e.g., a Rockefeller or Kennedy—can still spend unlimited sums. Finally, there is no limitation on contributions or expenditures "independent" of the candidates and parties. Therefore individuals or groups are free to raise and spend whatever they wish, so long as they do not become allied to the political parties. It now becomes ever more to the advantage of political interests to ignore established politicians.

This legislation may become the classic illustration of the dominance of latent over manifest functions. We may doubt that Congress intended to subvert the political parties, but this is the cumulative impact of the finance law. It provides a sufficient explanation of the astounding Republican contest of 1976. The conventional wisdom of politics—and political science—cannot explain the near-success of Ronald Reagan. An incumbent president, however chosen, should easily win renomination. In the beginning of the election year, President Ford had achieved a measure of personal popularity; the Vietnam war had ended; there were signs of economic expansion; and the president had the support of almost all important party officials. Compared to Herbert Hoover's position in 1932, there was no reason to doubt his convention success. Nevertheless, Reagan persevered, and the availability of money must be considered a major reason for his persistence. Regardless of party pressure or early primary defeats, Reagan

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could continue to count on personal contributions, which were doubled in value by federal subsidies. He further benefited from independent expenditures by his sympathizers. The national government thus subsidized insurgency against its own chief executive.

In the Democratic party, with no incumbent leader, the law promoted factionalism, providing support for all comers, regardless of their standing in the party or chances of success. George Wallace, who split the party in 1968, gained proportionately the most federal subsidies, while even Ellen McCormack, running in opposition to the platform, became eligible for federal grants. The Supreme Court's suspension of the law during the vital primary period also affected the race, leaving Morris Udall in debt while allowing Carter, a relatively wealthy candidate, to raise funds privately.

The finance laws reinforce the other developments we have noted. They provide support for the personal, candidate-oriented organizations which now dominate presidential politics. They demand a national constituency, since funds must be raised in at least twenty states to be eligible for federal matching. By ignoring and slighting parties, they promote the general tendencies to emphasize other means of campaigning. They stimulate appeals to ideological and interest groups. Together, surely, these changes do not promote anything resembling a "responsible two-party system." Rather, they foster the turn toward "antiparty government."

The Decline of Conventions

New finance laws have accelerated another trend, the elimination of the party nominating convention as a significant decision-making body. No convention since 1952 has taken more than a single ballot to nominate its presidential candidate. Throughout this period, moreover, with the exception of the 1976 Republican confrontation, the winner of the nomination has been determined before the convention actually convened. Only large blunders could have prevented the nominations of such front-runners as Kennedy in 1960 or Nixon in 1968, even though there was a spurious excitement to these meetings.

Once described as "a chess game disguised as a circus," the convention now resembles more a newspaper chess column in which amateurs replay the moves of past masters. Among the reasons for this decline of the convention is the loss of political expertise. The participants at these conclaves never acquired the skill to conduct grand negotiations, or have lost this ability through disuse. Like all talents, that of striking political deals requires practice, but contemporary convention delegates and their leaders have no experience upon which to draw. Even the few survivors of a bygone age, such as the late Mayor Richard J. Daley, find their skills atrophied through disuse. Surely the Democratic conventions of 1968 and 1972 were ideal occasions for the emergence of a compromise or dark-horse candidate, such as Edward Kennedy. Yet, in both years, the party's leaders fumbled away the opportunity to choose this likely winner.

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The incapacity for negotiation was further demonstrated in 1976. Before the succession of Carter primary victories, there were widespread predictions of a negotiated nomination at the convention. A massive number of primaries, a bevy of candidates, and new rules for proportional division of delegates appeared certain to prevent any one candidate from winning the nomination by storm. Despite all of these favorable institutional factors, however, the party could not forestall the personal drive of one of the least known, and least well-connected, candidates. The likely result of a negotiated convention is further testament to the politicians' lack of control. A brokered convention, it appeared, would quickly turn to Hubert Humphrey, one of its oldest campaigners, who already had been defeated for the presidency. After decades of growth into the dominant party of the nation, with thirty-five governors and sixty-two senators available, the party would be so unresourceful as to turn to a proven loser. This hypothetical outcome is surely testament to the limited abilities of the pretended "bosses."

Largely without design, the Democrats in 1976 did nominate a candidate with personal appeal, supported by a skilled organization, who could unite the party. This result, however, is more a credit to Carter than the party. The situation among the Republicans provides still fuller evidence of party decline. With an incumbent president avid for nomination, with virtually all of their elected governors and national officials supporting him, the Republicans still could not prevent the insurgency of Ronald Reagan, nor control their own convention. While the Kansas City conclave did evidence real decision-making power, it also demonstrated the absence of party decisiveness.

The critical agencies in presidential nominations have changed. One of the most vital is the mass media, which appraise candidates, their abilities, and their chances of success. Candidates use the media to appeal directly to vital constituencies, rather than bargaining with party representatives. The media's particular interest in news results in the exaggeration of the importance of discrete events, and their interpretation of these events defines reality. Thus, the New Hampshire primary has been transformed from a minor test of popularity in a minor state to the event which gives a candidate "momentum." Television has further contributed to the decline of the convention by making classic negotiations virtually impossible, for "open covenants openly arrived at" are as difficult to achieve domestically as internationally. Parties do not want to present a messy picture of bargaining to their costless television audience. Instead they seek to present an image of unity and concord, and the result is dullness and impotence.

Party power over nominations has also been displaced by the spread of state primaries which mandate delegate votes. As recently as the 1960s, primaries elected fewer than one-third of the delegates and were useful largely as confirmations of the candidates' popular standing and electoral appeal. By 1976, nearly three-fourths of the delegates were chosen in these contests, and they

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had become decisive. A candidate carrying most, not necessarily all, of the primaries, would win the nomination as did McGovern and Carter. The convention could retain some power of decision only if the voters were clearly divided, as in the Reagan-Ford confrontation. The odds surely are against recurrence of this latter pattern. By removing the party organizations from the nominations, state presidential primaries sever the head of the political party's body—a dangerous condition.

Voters and Parties

Electoral behavior provides the final evidence of the decline of the parties. The organized parties have less influence because they have less value to candidates. To win a presidential nomination once brought an aspirant not only ballot position, funding, and campaign workers. Most importantly, it assured him of a substantial share of the vote simply on the basis of the Democratic or Republican label he had won. This label is less helpful today, and candidates therefore need pay less to its manufacturers.

The decreased impact of partisanship is abundantly clear. In answers to standard questions on self-identification, one-third to two-fifths of the American electorate now disclaim affective ties to the parties, and the proportion reaches a majority among the youngest voters.[31] There is a general disdain for parties, reflected in the large proportions who see them as contributing little to the maintenance of democratic government.[32]

Beyond identification, there are multiple indicators in actual behavior of

TABLE 2

Composition of the 1972 Electorate

Group	*Percent of Total*	*(N)*
New voters of 1972	15.8	(192)
Self-identified independents (excluding new voters)	23.4	(285)
Defectors from party identification (excluding new voters)	16.0	(195)
Switchers from 1968 vote (excluding previous groups)	4.4	(54)
Ticket splitters in 1972 (excluding previous groups)	5.2	(63)
Consistent partisan voters	35.2	(429)
Total	100.0	(1218)

SOURCE: 1972 Election Study of the Center for Political Studies, University of Michigan.

[31] G. Pomper, *Voter's Choice* (New York, 1975), p. 23.

[32] J. Dennis, "Support for the Party System by the Mass Public," *American Political Science Review*, 60 (1966), 600–615; J. Dennis, "Trends in Public Support for the American Party System." Paper presented to the annual meeting of the American Political Science Association, Chicago, 1974.

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disaffection from the parties. Nearly one of seven 1968 voters cast ballots for the third-party candidacy of George Wallace, and polls during that campaign placed his strength as high as one-fifth of the electorate. Electoral instability is evident as well in ticket splitting, in defection from the party of self-identification, and in vote switching from one election to the next.

The limited appeal of party loyalty is demonstrated in Table 2, which partitions the electorate of 1972 on various dimensions to reach the core, partisan voter. We first separate the new voters in 1972, since they have not yet been able to develop a history of loyalty. We then successively locate the self-identified independents, those self-identified Democrats or Republicans who voted against their party's presidential nominee, those (of the remainder) who switched votes from 1968 to 1972, and finally those who split their tickets in the congressional race. Of all voters, only about one-third passed all of these tests.[33]

These aggregate figures may underestimate the electoral effect of partisanship. More complicated procedures, however, lead to the same conclusion, evidencing an increased effect of issue preferences and candidate appeals. One estimate is that party loyalty, even under favorable statistical assumptions, cannot explain more than half of the variance in the vote.[34] Another is that the percentage of pure partisan, issueless voters has declined drastically, from 42 percent in 1960 to 23 percent in 1972.[35] Other analysts place more emphasis on the appeals of candidates, rather than issues.[36] The common area of agreement is that party loyalty alone cannot be relied upon to win votes.

Candidates will be successful in this situation when they are, or can be made to appear, independent of the parties. Surely part of the success of Jimmy Carter must be explained by the opposition of the very party leaders whose favor was once needed to assure nomination. Similarly, the Republican party designation was crucially affected by crossover votes, Democrats who felt no hesitancy in voting in Republican primaries. Thus, although Ford was the consistent choice of his own party's rank-and-file, he was threatened by these invaders who felt neither loyalty to their "own" party nor repugnance at formally entering the opposition. As strategies outside the parties show success and as voters become uncommitted to maintaining their past loyalties, we can expect further waning of party vigor.

[33] The figures in Table 2 were calculated to eliminate overlapping of the various categories, so that the ticket splitters, for example, are only those voters who otherwise meet all tests of party loyalty. In the total sample, however, many persons do manifest more than one of these behaviors. Overall, independents constituted 30 percent of the 1972 sample: 27.1 percent defected from their self-identified party; 27.3 percent were party switchers from 1968 to 1972; and 29.5 percent split their presidential-congressional tickets.

[34] Pomper, *Voter's Choice*, p. 163.

[35] N. H. Nie, S. Verba, and J. Petrocik, *The Changing American Voter* (Cambridge, Mass., 1976), p. 302.

[36] S. Kirkpatrick, "Candidates, Parties and Issues in the American Electorate," *American Politics Quarterly*, 3 (1975), 268.

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The Effect on the Parties

The state of the parties appears rather pitiful, when sketched at the present time. However, the important point is a dynamic one: the contemporary electoral process stimulates further decline of the parties. The lessons learned in one election become part of the influences in the postelectoral period and in the next contest, leading to acceleration of these trends.

One effect will be on candidate strategies. The success of Carter and Reagan's near nomination will encourage future candidates to emphasize their asserted independence of the party leaders. Indeed, this development was already evident in 1976 when California Governor Brown belatedly entered the presidential primaries, emphasizing his novelty and independence. Insurgency is no longer the crusade of political Don Quixotes; it is the likely path to the political kingdom.

Loss of Party Functions

More generally, we can say that the electoral success of insurgents demonstrates that the political parties have lost their monopoly over recruitment. This loss is evident beyond the presidential level. The last areas to nominate state candidates through party processes were Connecticut and Indiana, but these bastions have fallen, and nomination through the direct primary is now universal. Even attempts by the party leaders to endorse candidates in the primary are now limited. Where attempted, such efforts are likely to be self-defeating, as in New York, where the party endorsement brings a candidate not votes but the burden of charges of "bossism." Nor are party careers necessary to advancement. The ambitious can switch parties, as did Donald Riegle and John Lindsay, or be elected as pure independents, as did Governor James Longley of Maine, or seek high office without previous political experience, as did John Glenn and James Buckley.

Additionally, the party has lost its monopoly over vital resources. Presidential funds, as we have noted, are now independently provided through the federal government, and the 1976 Democratic platform promises similar support for congressional candidates. George Wallace was able to secure a place on the ballot in all of the fifty states, despite the opposition of both major parties, and the Supreme Court has facilitated access by other independent candidates, such as Eugene McCarthy in 1976. Campaigning is now accomplished not by party canvassers, but through the mass media or, locally, by unions and public employees organizations protected from party patronage demands by civil service laws. Delegates to national conventions are elected on the basis of their candidate preference, not as rewards for their loyalty and service to the organization.

As the parties become less able to control these vital resources of the electoral process, the voters respond less to their weakening appeals. The parties then lose their most vital strength, their very legitimacy. Slogans such as "vote for the man, not the party" come to be descriptions of behavior, not only advertising

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TABLE 3

*Partisan Identification by Political Generations**

	Strong Democrat	*Weak Democrat*	*Inde-pendent*	*Weak Republican*	*Strong Republican*	*(N)*
Pre-New Deal						
1960	22.9%	23.1%	16.6%	16.8%	20.6%	(637)
1964	30.7	20.7	14.6	15.4	18.5	(410)
1968	26.5	25.9	16.9	13.1	17.5	(343)
1972	20.5	24.8	19.6	15.8	19.3	(419)
New Deal						
1960	20.3	25.3	26.8	13.9	13.6	(679)
1964	27.8	26.8	22.5	13.1	9.9	(497)
1968	20.2	26.2	26.4	18.0	9.3	(451)
1972	20.5	26.9	25.3	15.3	11.9	(620)
Postwar						
1960	20.9	27.3	26.9	11.2	13.7	(498)
1964	25.1	27.5	25.9	13.6	8.0	(375)
1968	23.3	25.7	31.5	13.0	6.6	(378)
1972	15.7	25.9	35.3	13.1	10.1	(567)
The 1960s						
1960	3.7	40.7	29.6	11.1	14.8	(54)
1964	22.9	25.7	32.9	12.0	6.4	(249)
1968	11.6	24.9	43.2	14.4	5.9	(354)
1972	8.9	24.8	46.0	13.4	6.9	(642)
New voters						
1972	8.7	27.1	50.9	7.0	5.4	(391)

SOURCE: G. Pomper, *Voters' Choice* (New York, 1975).

*Cell entries are percentages adding horizontally by rows to 100 percent, except for rounding errors.

rhetoric. The data of Table 3 point to a nonpartisan electoral future. Five political generations are defined, on the basis of the time they first voted: before the New Deal, during the Roosevelt elections, in the postwar period of 1948 to 1956, the 1960s, and 1972. These generations are then traced over the last four presidential elections. The data show that the proportion of Independents has risen considerably and that strength of partisanship has declined.[37] They also reveal that this increase has occurred in all political generations and that it is greatest among the rising generations in the electorate. It is therefore quite likely that Independents will soon constitute a plurality of the nation. The parties are disfavored by the voters. In this situation, they are likely to be ignored by ambitious office seekers and to be neglected in such public policies as campaign financing.

[37] Pomper, *Voter's Choice*, p. 23.

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The New Party Strength

At the same time as the parties have been weakened by these many tendencies, there has been another, apparently countervailing trend. This is the development of strong national party organizations, evident particularly among the Democrats. The party has created a coherent set of national institutions and binding rules which sharply contrast with the traditional portrait of the parties as decentralized and incoherent. It is simply no longer true, as Schattschneider wrote in his classic description, that incoherence "constitutes the most important single fact concerning the American parties."[38] Coherence is evident in such indexes as congressional voting, where party unity has recently increased. It is even more evident in party organization.

Over the past twenty years, the national Democratic party has placed a number of restrictions on its once-sovereign state units. Beginning in 1956, state delegations to the national conventions were required to pledge loyalty to the national ticket—a relatively modest requirement. After 1964, racial discrimination in the selection of delegates was banned and was enforced by the exclusion of segregated state units. The most complete changes came as a result of the reform efforts of the McGovern-Fraser commission before the 1972 convention and of its successor, the Mikulski commission. The national party mandated increased and relatively proportional participation in party affairs at all levels by designated demographic groups (particularly racial minorities, women, and persons under thirty years of age). By 1980, the party will actively seek equal numbers of women and men. Further, it required changes in the means of selecting delegates, even when in conflict with state law or party practice, and has now established a complete system of proportional representation in every electoral unit. Delegate fees, early meetings, and irregular practices have been effectively abolished.

The party has also created itself as a national body, rather than as a collection of state units. Membership in the national convention is no longer based principally on electoral votes, a reflection of the states as constituent elements, but now equally weights the contribution of these states to a national Democratic vote. Similarly, the national committee once acknowledged state sovereignty by giving equal representation to all states, but now is weighted by the size of states and includes representatives from all branches of federal, state, and local government.

For the first time in American political history, the Democrats in 1974 adopted a national party charter, which gave permanent existence to the party, and provided for mid-term conferences of the party, giving it a visible existence other than during the four days of a presidential nominating convention. New organs of party government were created, including a national finance council, a national education and training council, and a judicial council to settle disputes and interpret party rules. The rudiments of a full governing structure are now in place, including the traditional legislative, executive, and judicial branches.

[38] E. E. Schattschneider, *Party Government* (New York, 1942), p. 32ff.

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The national party is able to exercise these powers in the absence of legal constraints. In the 1972 Democratic convention, important credentials disputes turned on the right of the convention to exclude delegates from Illinois and California duly elected under state law. In both instances, these delegates were barred because the credentials committee ruled that they failed to meet some of the new reform rules. A critical decision of the Supreme Court upheld the right of the party to self-government because of "the large public interest in allowing the political processes to function free from judicial supervision."[39]

The independence of political parties was further acknowledged in a later case involving the Republicans. A challenge brought against the national party disputed the allocation of convention delegates, arguing for application of the "one-man, one-vote" principle, in the same fashion as the apportionment of state or congressional representatives. The Circuit Court of Appeals, later upheld by the Supreme Court, declined to intervene, declaring the party free to organize "in the way that will make it the most effective organization . . . without interference from the courts."[40]

These decisions are important in themselves for they seem to conflict partially with the earlier position of the Supreme Court which recognized political parties as virtually a formal part of government. It was for this reason that the "white primary" was abolished, even when no state law was involved.[41] In these recent cases, however, the parties are permitted actions which are contrary to state law or which are different from principles of representation applied to formal governmental institutions. The result is to make the parties, at least on the national level, autonomous and potentially strong institutions. At the same time, the parties, as we have argued, are becoming weak influences in the political process. There is a seeming contradiction in the existence of strong institutions of little effectiveness.

The Party as Private Association

The apparent contradiction can be resolved if we recognize that we are witnessing the transformation of American political parties. One element of the transformation is structural, an internal shift of power from state to national parties. While state parties are losing their functions, national parties are developing as coherent organizations. While state parties are not able to control national decisions such as the presidential nomination, national parties are more able to control state decisions such as the selection of convention delegates.

A more basic transformation is occurring as well, altering the place of parties generally in American politics. In the scholarly literature, and even in practice, parties held a special place among the many contestants for power, being recog-

[39] *O'Brien* v. *Brown*, 409 U. S. 1 (1972).

[40] *Ripon Society* v. *National Republican Party*, 525 F.2d 567 (1975), cert. denied 96 S.Ct. 1147 (1976).

[41] *Smith* v. *Allwright*, 321 U. S. 649 (1944); *Rice* v. *Elmore*, 165 F.2d 387 (1947).

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nized as the major intermediate associations between the citizen and the government. While multitudes of interest groups attempted to influence government, the political party was unique as an aggregator of interests, for "no interest group or alliance of such groups has supplanted the party as a device for mobilizing majorities."[42]

In contemporary America, it seems more accurate to describe the political party as little more than another private association or interest group. Like other associations, such as the American Medical Association, it attempts to influence elections, but both groups have only marginal effects. Like other associations of a nominally "private" character, it successfully claims independence from governmental regulation. The courts have long been hesitant to interfere with the internal organization of churches or unions. Now the courts have extended similar freedom, based on the same First Amendment principles, to the parties. This reluctance to prescribe party rules suggests that the organization of the Democrats and Republicans is no more politically relevant than the structure of the Episcopal Church or the United Mineworkers.

In elections, the parties are becoming only one of many actors, not the chief contestants. Parties are wooed by ambitious candidates, but so are the mass media. Parties contribute funds to these candidates, but so do private individuals and interest groups. Parties campaign for their nominees, but so do labor unions, and often more widely and more effectively. Parties sponsor candidates, but so do conservationists, business groups, and ideologues of various persuasions.

Even in their most characteristic functions, nominations, the formal party organizations lack an exclusive position. Delegates to the national conventions are successfully sponsored by these organizations in some places, such as Cook County, Illinois. Success is also achieved by interest groups, such as the 1976 Labor Coalition Clearinghouse, which chose over 400 Democratic delegates, by ideological groups such as New York liberals, and, most decisively, by candidate factions acting outside of or in opposition to the established parties. Once won, a party nomination must be supplemented by endorsements of interest groups, the media, and factional leaders. Eventually, with the increase in electoral instability, a party label on a candidate may come to have no more effect than a union label on clothing.

The nonpreferred position of the parties has now been partially incorporated into federal law. When Congress adopted a revised finance law following the Supreme Court's 1976 decision, a vigorous effort was needed to allow parties to receive contributions in the same manner as other political committees. The final statute does give some particular recognition to the parties, since individuals may contribute up to $20,000 to the parties, while they are limited to $5000 in gifts to other committees. Nevertheless, the law still places the parties in the same juridical position as other private groups, even if it is more well-endowed for purposes of electioneering. However, parties are limited in their spending—

[42] D. B. Truman, *The Governmental Process* (New York, 1951), p. 272.

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giving them a less advantageous position than other committees, which may spend freely.

More generally, the political parties are being incorporated into the overall American system of "interest group liberalism."[43] The liberal model sees politics as a struggle of competing interests. Government is neither to grant privileges nor to handicap any group in this struggle. Government is to be an arbiter, to maintain the competition itself. Its role "is one of ensuring access particularly to the most effectively organized, and of ratifying the agreements and adjustments worked out among the competing leaders and their claims."[44]

This model explains many actions of American legislatures and bureaucracies and the character of policy outputs. We now see its application to the electoral process itself. Parties are permitted access, but so are other groups. Government encourages this access through financial subsidies, but no distinction is made among those seeking funds on the basis of their adherence to party principle or discipline. The goal becomes participation for its own sake. Individual participation is encouraged through widespread primaries easily subject to crossovers and insurgencies. Candidate participation is encouraged by easy access to campaign subsidies and "equal time" on the mass media. Group participation is encouraged by permitting independent committees to solicit funds and spread propaganda. New social movements are encouraged through easy placement on the ballot and postelection subsidies. Government does not limit access to the political competition, nor regulate the organization of the competitors, but rather seeks only to stimulate more activity.

The defect of interest group liberalism as a general mode of government is its neglect of policy outcomes. Its application to electoral politics evidences the same defect, for it deprives the parties of a continuing, substantive meaning. Party programs then vary with the character of the particular activists and candidates of a specific time, rather than providing a persisting opportunity for voter judgment. To be sure, the national parties are more organizationally coherent and better able to enforce a measure of internal discipline. What the parties increasingly lack is a palpable reason for coherence and discipline. "There is therefore no substance. Neither is there procedure. There is only process."[45]

Many social trends have promoted the decline of partisan politics in the United States. At root, however, the decline can be traced to a theoretical failure, the placement of the parties within the ideology of interest group liberalism. The place of parties has not been fully considered, even by those most concerned with party reform. These advocates have championed the liberal solution of greater popular involvement in party decisions, while also seeking strengthened national organizations.[46] No contradiction between these aims was seen, as even the notable Schattschneider committee called for both centralized and open parties, arguing, "Clearly such a degree of unity within the parties cannot be

[43] T. Lowi, *The End of Liberalism* (New York, 1969), chap. 3.
[44] Ibid., p. 71.
[45] Ibid., p. 97.
[46] A. Ranney, *Curing the Mischiefs of Faction* (Berkeley, Calif., 1975).

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brought about without party procedures that give a large body of people an opportunity to share in the development of the party program."[47] Today, the contradictions between these two goals are increasingly apparent. Parties can be both hierarchical and participatory only if they are also irrelevant.

The special place of parties must be rethought—and reclaimed. Ultimately, this revival of partisan organizations is properly the concern of advocates of representative government itself. The parties have provided the basic means of aggregating social interests, of simplifying choices for a mass electorate, and of permitting responsibility to be fixed for governmental achievements and failures. They have permitted the voters to make at least a retrospective judgment on public policy and occasionally to provide direction for the future.[48] In the context of the 1976 elections, it is difficult to see these functions being fulfilled. While a Jimmy Carter may enforce unity on the Democrats, this is a personal triumph, implying no permanent responsibility of the party. Among Republicans, the most basic agreement between Ford and Reagan was that neither had any responsibility for the actions of a twice-elected president of their party. Can elections without parties then be anything but short-term choices of particular candidates and their idiosyncratic policies?

The ultimate cost of the decline of parties is the loss of popular control over public policies and the consequent inability of less privileged elements to affect their social fate. "Political parties, with all their well-known human and structural shortcomings, are the only devices thus far invented by the wit of Western man which with some effectiveness can generate countervailing collective power on behalf of the many individually powerless against the relatively few who are individually—or organizationally—powerful."[49] The policy result of party decline will be a fundamental conservatism, with no alternate agency available to generate the political power of a popular majority.

Elections will surely continue, for they have demonstrated their social utility in investing rulers with legitimacy. Social movements will periodically express the discontents of neglected and disadvantaged groups. Grievances will be heard and responded to from time to time by sensitive individual leaders and by legislators concerned over their personal or their constituents' futures. The republican form will persist, even while alienation further develops.

Yet, if the decline of partisan politics continues, if parties become only one among many participants in elections, much will be lost. We may identify the losses as choice, as clarity, as diffuse support, or as the effective aggregation of political interests. But, in a single word, the loss will be that of democracy.*

[47] American Political Science Association, "Toward a More Responsible Two-Party System," p. 18.

[48] V. O. Key, *The Responsible Electorate* (Cambridge, Mass., 1966).

[49] W. D. Burnham, *Critical Elections and the Mainsprings of American Politics* (New York, 1970), p. 133.

* This article is adapted from the author's essay in the forthcoming *Sage International Election Yearbook*, III, edited by L. Maisel and J. Cooper.

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Voter Registration Drives and Turnout: A Report on the Harlem Electorate

CHARLES V. HAMILTON

In 1976, as in previous election years, intensive voter registration drives were conducted in black communities across the country. In some instances, this was part of a perennial process, with money, in varying amounts, supplied by the political parties, labor unions, special solicitation, foundations, and community groups. Invariably, there are reports of the "success" of such drives, measured in terms of how many new registrants are added to the rolls. There has not been, however, an account of the effectiveness of these drives, measured in terms of actual turnout of the newly registered on election day.

This is a report on the turnout of 1007 newly registered voters in central Harlem in the general presidential election in November 1976. It examines differences in age, sex, and class; whether or not the new registrants voted before in New York State; and differences between those who registered by mail and those who registered in person. This was the first election in New York State after the passage of legislation permitting registration by mail.

Methodology

Eight election districts (called e.ds. and comparable to voting precincts in other places) were chosen for the study. They were selected because they are located entirely within central Harlem in the seventy-first assembly district (comparable to a ward in other places). According to the 1970 United States census, blacks

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make up 99 percent of the population in the area. (The following e.ds. were chosen: 2, 4, 7, 23, 25, 34, 35, 43.) In addition, the districts were extensively covered by voter registration groups throughout the spring and summer of 1976.

The "buff records" (registration cards) were examined for each of the 1007 new registrants, and all data were taken from these official files at the Board of Elections in New York City. No opinion surveys were conducted. If the registrant voted, then his or her signature would appear on the card in the appropriate place indicating the date of the election. To protect privacy, and in accord with the terms of agreement to access, the names and addresses of the registrants were not recorded.

Three of the e.ds. (25, 35, 43) are, according to 1970 census data, above average areas when compared only with incomes and education (median income and median school years completed) of the national black population. These are considered, for purposes of this report, "black middle-class districts," and they are contrasted with districts in lower median income and lower median school years completed, which are classified as "black lower-class areas."

Findings

In the eight e.ds., there were 5606 registered voters, and 1007 (17.9 percent) were new registrants.

Of the 5606, a total of 3732 (66.5 percent) voted in the November 1976 presidential election.

Of the 1007 new registrants, 529 (52.5 percent) actually voted in the presidential election.

An overwhelming proportion of the new registrants—867 (86 percent)—registered by mail. Only 140 registered in person.

Of those who registered in person, 93 (66.4 percent) actually voted, whereas 436 (50.2 percent) of those who registered by mail turned out to vote. Thus, a significantly smaller proportion of mail registrants went to the polls than of in-person registrants.

TABLE 1

New Registrants by Age Group

Age Group	*Number Registered*	*Percentage of New Registrants*
18–21	105	10.4%
22–35	343	34.0
36–50	276	27.4
51–65	204	20.2
66 and over	59	5.8
Total	987*	

*The buff records did not list a birthdate for twenty new registrants.

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TABLE 2

Turnout by Age Group

Age Group	*Number Who Voted*	*Percentage Voting in Age Group Who Registered*
18–21	54	51.4%
22–35	165	48.1
36–50	148	53.6
51–65	128	62.7
66 and over	34	57.6

There was an almost equal distribution by sex of those who were newly registered: 510 (50.6 percent) were females, and 497 (49.3 percent) were males.

Among new registrants, substantially more females than males actually voted: female turnout of new registrants was 303 (57.2 percent); male turnout was 226 (42.7 percent).

The "buff record" indicates whether the new registrant ever voted before in New York State. Of the 1007, there were 363 (36.0 percent) who indicated they were previous voters in the state. Of this number, 221 (60.8 percent) actually voted in November 1976. Thus, prior voters were more likely to vote than first-time registrants.

Table 1 shows the distribution of new registrants by age group.

The study also examined the actual turnout of new registrants by age group (Table 2). At least half of the youngest (and first-time registered) turned out to vote (51.4 percent). In fact, every age group turned out by more than a majority, except the group aged 22–35.

Among new registrants, the black middle-class, as expected, turned out to a much greater extent (64.2 percent) than did the black lower-class (46 percent). But class was not a determining factor in party preference, as shown in Table 3.

Conclusions

Perhaps the most striking result of this study pertains to the dual process of voter

TABLE 3

Class and Party Preference

Party	*Middle Class*	*Lower Class*
Democrat	247 (67.3%)	427 (66.7%)
Republican	9 (2.4%)	22 (3.4%)
Liberal	10 (2.7%)	14 (2.1%)
Conservative	0	4 (0.6%)
"Blank" (Independent)	101 (27.5%)	173 (27.0%)

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registration and election-day turnout. There is strong evidence in many black communities that these phenomena are two distinct operations, frequently conducted by separate types of organizations. Many nonpartisan groups, such as antipoverty agencies, the NAACP, the Urban League, and various civic and professional organizations, engage in the registration process, often with quite impressive results in terms of the number of new registrants enrolled. Most of these organizations receive federal grants and have tax-exempt status. They become involved in voter registration under the label of "voter education," and they fear that they might jeopardize their tax-exempt status if they work to turn out voters on election day.

Getting potential voters to register, however, does not guarantee that they will turn out to vote. Therefore, it is left to labor unions and party organizations to get voters out on election day, but a community such as Harlem simply does not have a cohesive party apparatus with sufficient workers to do the job effectively. Some of the problems related to mobilizing minority voters on election day are described by Penn Kimball in his account of the Lindsay election in 1969.[1] The election day practices in Harlem that he describes have not changed much.

In summary, then, the process of voter registration is facilitated by such devices as mail registration, community-based registration, and crash registration drives. But voter turnout either remains stagnant or shows a decline due to a lack of comparable effort on election day.*

[1] Penn Kimball, *The Disconnected* (New York, 1972).

* I wish to acknowledge the assistance of my graduate research students at Columbia University, C. Davis Palmer, Conni Palmer, Ronald Susser, and my research associate, Harry Wachtel, who compiled the figures.

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United States Policy toward Southern Africa: Economic and Strategic Constraints

WILLIAM J. FOLTZ

The Angolan civil war of 1975–1976 and the succeeding challenge to white rule in Rhodesia thrust southern Africa into American consciousness to a degree not matched since, perhaps, the Boer War. At the same time the contradictions and the general ineptitude of American foreign policy in southern Africa were revealed as never before. Only a small part of the ineptitude can be put down to "bad luck," an unfortunate guess as to Portugal's staying power in Africa. Rather, one must question why it is that American policy makers chose not only to believe that all the various forms of white rule in southern Africa would last, but to assume as well that American interests would best be served by helping them last. Such questions are not only of historical interest; even more urgently they must be asked about the assumptions on which American policy toward southern Africa continues to be based. Chief among these assumptions is that southern Africa is a part of the world in which the United States has definite "vital interests."

The purpose of this article is to disprove the claim that there are tight economic and strategic constraints on American policy toward southern Africa, especially the supposition that it is possible to identify economic and strategic interests that are clearly "vital" to the United States and to its policy makers. Such interests could be considered vital for two reasons: first, they may be of such real and compelling importance that no prudent policy maker could neglect to take them into account; second, they may be so important either to the electorate at large or to certain politically powerful individuals and institutions

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that, without them, the continuity of an administration or its ability to carry out a coherent foreign policy would be jeopardized. Either situation would naturally provide serious constraints on foreign policy toward a particular region of the world. The logical conclusion, then, is that those who make policy are to be faulted not for blindly responding to real economic and security constraints; but for failing to take advantage of the considerable latitude of policy innovation which in fact is available.

Both conservative and radical critics of United States policy toward southern Africa seem to agree that certain fundamental economic and strategic interests derived from the very nature of America's domestic and international situation must underlie this policy. They then disagree on everything else. On the economic side, conservatives lament the absence of "realistic" trade and investment policies, particularly toward Rhodesia and the Republic of South Africa, and decry the weakness of the "bleeding hearts" in the Department of State's African Bureau. Radical critics see the lobbyists of multinational corporations behind every policy change and with varying degrees of enthusiasm trace America's postwar economic preeminence to unsavory profits made from the sweat of oppressed black labor. On strategic questions, conservatives (not necessarily the same as those arguing the economic case) point to the growth of the Soviet fleet or even the building of the TanZam railway as a threat to American survival. While few of their radical opponents go so far as Admiral Gorshkov in seeing the Soviet fleet as a force for peace (most prefer not to see it at all), they agree that a "military-industrial complex" has gotten hold of American policy formulation and warped its African enterprises, so that the military protection of American capitalism overrides any concern with political or social issues. Both sides, finally, agree on the further assumption that these interests are part and parcel of America's own version of capitalism and democracy; they disagree only on whether or not that version should survive.

Economic Factors

The basic economic facts are relatively straightforward and have been ably discussed by others; a brief summary should suffice here.[1] In terms of overall American trade and investment, Africa as a whole continues to be the "least important continent," though some major changes may be taking place. The trade figures show the greatest recent movement: in 1972, Africa provided 2.87 percent of America's imports; in 1974, 6.55 percent. In 1972 Africa took 3.2 percent of American exports; in 1974, 3.74 percent (arms exports not included). Of the $6.6 billion worth of African goods imported into the United States in 1974,

[1] Trade figures given are from International Monetary Fund, *Direction of Trade: Annual 1970–74* (Washington, D. C., 1975). A convenient summary is in *Marchés Tropicaux* (November 21, 1975), 3363–3364. Useful discussions include Donald McHenry, *United States Firms in South Africa* (Bloomington, Ind., 1975) and Timothy H. Smith, *The American Corporation in South Africa* (New York, 1970).

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about half came from one country, Nigeria. In third and fourth places respectively (behind Algeria), South Africa and Angola accounted for $600 million and $400 million. Southern Africa's total exports to the United States were, then, less than one-third of those coming from Nigeria alone, which ranked seventh in the world, between Mexico and Italy, as a supplier of the American market.

The American export side reveals a different profile. Of America's $3.6 billion exports to Africa, the Republic of South Africa bought about one-third ($1.15 billion), almost as much as the next four clients (Egypt, Algeria, Nigeria, and Morocco) combined. South Africa thus ranked eighteenth, between Israel and Switzerland, as a market for American goods.

The change in these figures over recent years may be as important for our purposes as the absolute position in the latest figures. Between 1969 and 1975 American trade with South Africa tripled to reach $2.16 billion; in the same period trade with the rest of Africa went up sevenfold to $11.6 billion. The turning point emerges as 1973, the year in which total American trade with Nigeria surpassed that with South Africa. The key, of course, is oil, with Nigeria now standing among the principal foreign suppliers of petroleum for the American market, a position which seems unlikely to be challenged in the foreseeable future, and which presumably is of some relevance to American policies toward Africa generally.

Even with Nigeria's decisive replacement of South Africa in American trade relations, the argument can be made that South Africa still is essential as the one major African country with which the United States enjoys a decidedly positive balance of payments. While not totally irrelevant, the argument must be viewed with suspicion for two reasons. First, there is no rational economic principle that says the United States should balance its payments with a particular continent, as opposed, say, to all countries whose names begin with the letters A through F. Second, had the figures gone the other way, with the United States depending on vital South African exports to fuel its industrial machinery, while Nigeria bought our exports, the same economic determinists would probably seize on those facts to explain that we were in a dependent relationship with Pretoria which thus called the tune in our foreign policies.

The following seems to be the only clear generalization one can make from these gross statistics: *to the degree* that foreign policy is conditioned directly by the desire to maintain good relations with countries which are strong economic partners, South African needs and desires should have some influence over United States policy, but that influence should have declined substantially during the 1970s by comparison with that of Nigeria. If this generalization holds, then the degree of influence involved must be so slight as to escape all but the most finely tuned analysis and to have only the most marginal influence on policy making.[2] One must conclude that, from the perspective of overall Amer-

[2] One can also argue the converse: to the degree that American economic ties produce foreign

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ican economic involvements, the situation is politically permissive. That is to say, within certain very wide limits, foreign policy toward southern Africa can be made without fear of damaging vital American economic interests—unless perhaps both South Africa and Nigeria were to line up strongly on the same side of a vital issue.

Of course one must look behind those aggregate figures to discern probable patterns of influence. Influence need not come directly from the host country; rather it can come indirectly through the American corporation involved or seeking involvement there. American corporate involvement in South Africa and its dependents is clearly of some economic significance, though rather more for South Africa than for the United States. The $1.24 billion of direct American private investment in South Africa in 1973 represented 1.12 percent of United States private investment overseas (yielding 1 percent of foreign earnings), but 17 percent of all foreign investment in South Africa. Some 340 South African firms were American owned, wholly or in significant part, and the American companies involved represented a cross section of the biggest of American big business. Out of the 10 largest American corporations, 9 were included, as were 136 of the *Fortune* top 500. Furthermore, although earnings have diminished somewhat in recent years, they still are noticeably higher than those in other parts of the world. In the manufacturing sector, which accounts for almost half of American investment, earnings in the 1960s averaged 20.2 percent, as opposed to 9.4 percent worldwide.[3]

The very size of the American corporations involved, which should augment their potential influence with the United States government, also means that the South African operations represent a fairly small portion of their total overseas investments and an even smaller part of their combined foreign and domestic operations. South Africa is important, but far from crucial, for these great corporations.[4] In the absence of competing interests and countervailing pressures such as those generated by investments in black African states like Nigeria and Zambia, Chrysler, Ford, Firestone, Cummins Engine, Standard Oil, and IBM, not to mention those who would like to imitate such giants, would certainly try to promote a rapprochement between American and South African

policy compliance from America's partners, Nigeria should increasingly have aligned its foreign policies on those of the United States. One can, of course, construct much more complex variants of these propositions by introducing time-lag effects and policy-arena distinctions, but neither generalization looks like a promising statement about a major influence on anybody's foreign policy.

[3] McHenry, *United States Firms.*

[4] Both public and private statements by corporate officers tend to overstate the importance of southern African operations. Public statements usually proceed from an understandable premise of "don't yield an inch or they'll take a yard." Private statements usually are obtained from those corporate officers most directly involved in southern African operations. For those individuals' careers, maintaining the southern African connection may indeed be crucial. Members of large private bureaucracies are no less likely than their public counterparts to confuse the success of their own work group with that of the organization as a whole.

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interests. But the competing interests are actively or potentially there for all these corporations, and the countervailing pressures may be there, sooner or later, as well.[5]

Additionally, one must admit the hypothesis that highly particular interests may be effectively represented behind the scenes by a powerful or well-connected person or group. One man in particular, Charles Engelhard, whose name graces many of the gold ingots Americans are now able to buy directly, was often singled out. Engelhard was the last American member of the board of the Anglo-American Corporation and a liberal contributor to political campaigns according to the purest capitalist principles. He was in favor of the winner, whoever he might be. Engelhard was reportedly on good personal terms with Lyndon Johnson (whom he represented at Zambia's independence celebration) but had no difficulty in expressing equal admiration for Johnson's successor in the White House. For all the mystique surrounding Engelhard, however, there is little evidence that he had any major impact on United States policy in southern Africa, though it is quite likely that he did influence minor policy decisions to the advantage of his personal interests. Engelhard died in 1973, and no one has yet been able to step into his shoes.

Kenneth Rush, president of Union Carbide from 1966 to 1969, illustrates another pattern of business influence. He first spent a year in the largely honorific position as member of the Public Advisory Committee on U. S. Trade Policy for Lyndon Johnson; next, Richard Nixon made Rush in succession ambassador to Germany, deputy secretary of defense, deputy secretary of state, and counselor to the president for economic policy; and then Gerald Ford sent him to Paris as ambassador. In his Washington stints Rush was clearly in a position to have a say in American policy toward southern Africa, and doubtless had a particular interest in Rhodesia, from which his former company continued to export chrome to the United States under the so-called Byrd amendment allowing violation of sanctions for the importation of critical minerals. In confirmation testimony, however, Rush specifically denied "discussing, either formally or informally, the subject of chrome with anyone."[6] Although skeptics were not so sure, it would seem almost immaterial whether or not Rush was scrupulous about his conflict of interest. His position was well known, and indeed Nixon chose him because he was the sort of man who would enthusiastically carry out the kind of policy that the president himself favored.

Business has been good in South Africa and there continue to be opportunities for some to make it better, particularly if they can influence American policies.

[5] Several of the largest firms have interests in both Nigeria and South Africa, and others would clearly like to join the list. See Jean Herskovits, "An Overview of American and African Policies in Regard to Southern Africa," *Issue: A Quarterly Journal of Africanist Opinion*, 5, no. 3 (Fall 1975), 58.

[6] See the articles by Bruce J. Oudes, "Clark MacGregor's Vacation: 'Different' Might Be an Understatement," *Africa Report*, 18, no. 1 (January–February 1973) and "Nigeria, Humphrey, and the Chrome Caper," ibid., no. 2 (March–April 1973).

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The Fluor Company of California has been actively lobbying, along with the South African government, for the reversal of a twelve-year-old policy denying Export-Import Bank loans to South Africa. On the outcome of their effort may depend a billion dollar contract for the construction of a coal gasification and petroleum production plant. So far the administration has stood firmly by its policy of denying such loans. One must ask why this should be an issue if business influence on American policy is all that weighty. Why has American business not been allowed to go in like their French counterparts, selling anything the South Africans are willing to buy with the explicit collusion of, among other groups, the Ministry of Defense? Surely it is not just the countervailing opposition of those who support the Washington Office on Africa, or of the World Council of Churches, or of the participants in university seminars on southern Africa. All such efforts can hardly be considered to have had a major effect on foreign policy.

Before abandoning economic explanations, we must look with some sophistication at the role of economic interests in setting the tone for the way in which leading Americans think about policy toward southern Africa. Bruce Russett and Elizabeth Hanson have recently completed a major empirical study of business and other elite attitudes toward a range of relevant foreign policy issues.[7] While their inquiry does not deal directly with southern African affairs, it does investigate the broader issues of the way these individuals see the world of which such affairs are a part. The core of their research was a comparison of a set of questionnaires administered to a variety of American elites, including business executives, military officers, Republican and Democratic politicians, labor leaders, civil servants, heads of voluntary organizations, and leaders of the communications media. Their first positive finding, which had "moderate support," contains few surprises:

> Businessmen will be more favorable than other elites toward United States government activities to protect American business interests abroad, and toward the promotion of governments in less developed countries that are well disposed to the activities of foreign investors and maintenance of the free enterprise system; similarly they will be more hostile toward socialist and communist governments in less developed countries.[8]

Two groups in the sample, however, went against the proposition; labor leaders by and large shared business attitudes on these issues, and Republican party officials were decidedly to the right of the businessmen. Something other than economic motivation narrowly construed must be operating.

A second set of questions specifically separated out those executives whose firms do substantial business in less developed countries and compared them

[7] Bruce M. Russett and Elizabeth C. Hanson, *Interest and Ideology: The Foreign Policy Beliefs of American Businessman* (San Francisco, 1975). See also Raymond A. Bauer, Ithiel de Sola Pool, and Anthony Dexter, *American Business and Public Policy* (New York, 1963).

[8] Russett and Hanson, *Interest and Ideology*, pp. 95–96.

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with domestically oriented business leaders. The former group, as might be expected, were more favorable than their fellows "toward United States government activities to protect American business interests abroad." Surprisingly, however, they were not more favorable toward "the promotion of governments in less developed countries than are well disposed to the activities of foreign investors and maintenance of the free enterprise system." Neither were they "more hostile toward socialist and communist governments in less developed countries than . . . executives from other corporations." In short, with the exception of foreign policy efforts to help the most narrow definition of their corporate goals, the foreign-oriented business executives did not differ from their domestic-oriented counterparts, nor were both groups substantially out of line with the rest of elite opinion.[9]

A third part of the Russett-Hanson study sought to compare the degree of influence on business executives' foreign policy preferences produced by three factors: economic motivations and interests, domestic political ideology, and strategic (military and anticommunist) motivations. Domestic ideology was clearly the most important factor, followed by strategic motivations. "In only a very few instances did economic interests and motivations account for even as much as 2 percent of the variance in foreign policy preference."[10] Strategic motivations, while often powerful, frequently produced contradictory policy preferences, as, for example, during both the Korean and Vietnamese wars when business executives, like others, were divided over whether "communism" had to be stopped then and there, or whether this was "the wrong war, in the wrong place, at the wrong time."

The most consistent finding of the Russett-Hanson study is that political ideology has the most powerful and independent effect on foreign policy preferences of all the variables tested. Specialists in conservative political ideology and practice, exemplified by professional Republican politicians, consistently take the most right-wing position on foreign policy questions of all elite groups. Conservative business leaders tend to agree with them, while more liberal or moderate executives tend to disagree with them *irrespective of their corporate economic interests.*

Let us be quite clear on what this means. It certainly does not mean that most business executives are either raving liberals nor in most of their affairs heedless of their economic interests. It does mean, however, that these economic interests are only very weakly translated into foreign policy preferences, and then through the more powerful intermediaries of political ideology and of geopolitical strategic preferences, each of which has an independent force. And in this, they are not unlike other Americans. If we are to search for the impact of economic interests on American policy toward southern Africa, then, we must expect to find it subordinated to, or at least heavily attenuated by, more broadly held prefer-

[9] Ibid., pp. 122–123.
[10] Ibid., p. 249.

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ences derived from general political ideology and from shared views of the relationship between such policies and the strategic interests of the United States vis-à-vis Communist powers.

Strategic Factors

One strategic concern takes a primarily economic form: the rare minerals that the West buys, principally so far from South Africa, South West Africa, and Rhodesia. In addition to gold and diamonds, these include chrome, ferrochrome, nickel, berrylium, cobalt, and other "vitamin" minerals which go into making high-performance alloys. The arguments over repeal of the Byrd amendment (allowing American corporations to violate sanctions against Rhodesia by importing metals and ores) have produced much conflicting testimony as to just which was how vital for what and to whom.[11] Unfortunately, little of the argument focused on the issue of long-term access to these resources, which presumably should provide the principal serious constraints on the development of foreign policy. Since the United States' strategic stockpiles of these minerals are ample, the long term is indeed the major concern. In thinking about the long term, one historic precedent is unambiguous: so far, at least, no regime anywhere in Africa, of any ideological or dermatological pigmentation, has refused to sell the United States any valuable mineral it produces when offered something like the going international commodity price.

Past performance is, of course, an imperfect guide to the future, and policy makers must think prudentially about keeping open the greatest number of possibilities for access in a troubled area. Should, nevertheless, one be forced to choose sides, the hardheaded choice is not necessarily to cater to those who at present control the most valuable resources; rather, it is to discriminate against those who have the fewest alternative possibilities for disposing of them elsewhere. Of course, the hardheaded businesslike attitude is not necessarily the one that should prevail in this or other foreign policy decisions. But if one is to argue the hardheaded case with regard to access to strategic minerals, one must recognize that it works against automatic support for wobbly white minority regimes. Moderately prudent management of American foreign relations should make it possible to avoid such a clear choice as a desperate means to guarantee the right to purchase strategic minerals. If that is so, the evidence supports the proposition that foreign policy makers in fact have considerable latitude in designing southern African policy, if only they choose to take it.

The withdrawal of British military presence from east and south of Suez and

[11] In addition to the extensive congressional testimony, see "Southern Rhodesia: the Question of Economic Sanctions," *Current Foreign Policy*, Department of State Publication 8744, African Series 55 (December 1973), and Edgar Lockwood, "An Inside Look at the Sanctions Campaign," *Issue: A Quarterly Journal of Africanist Opinion*, 4, no. 3 (Fall 1974), 73–75.

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the introduction of Cuban troops to Angola have increased the military component of strategic concerns in Washington as well as in Pretoria. The Republic of South Africa's government tirelessly expounds the argument that the defense of southern Africa and its attendant sea lanes is a crucial component of "the defense of Western civilization." Increasingly, South Africa seeks to bring its message to broad segments of American opinion. Thus, on February 9, 1976, as the outcome of the Angolan war became clear, a South African publicity front published a full-page advertisement in *The New York Times* and other leading newspapers. Under the heading "The Free World stands today in greater danger than at any time since the darkest days of World War II . . ." the advertisement extolled South Africa's fight against "Soviet colonisers" in Angola and recalled South Africa's heroic participation in the Korean war. Similarly, the South African Department of Information commissioned and in 1975 distributed widely in America a book entitled *The Communist Strategy*, with prose redolent of vintage J. Edgar Hoover. It was accompanied by a slightly more sophisticated volume, *The Indian Ocean and the Threat to the West*, edited by a British Conservative M.P., whose contents are predictable from the title.[12]

Such propaganda efforts are not particularly important by themselves. Their seeds will germinate only if they fall on fertile ground prepared by a propensity of the general population to believe such arguments, and with specific groups having direct interests at stake. Within the general American population there exists indeed a diffuse propensity to see the Soviet Union, and to a lesser degree China, as expansionist threats, particularly in the Third World. Presidential candidates of both parties have sought to capitalize on popular concern that the Soviet Union is getting strategic advantage out of détente at the expense of the United States. When, early in January 1976, Americans and samples from twelve other nations were asked whether or not they expected the "power" of the United States, Russia, and China to increase or decrease in 1976, Americans split 42 to 44 percent over whether or not their own nation's power would increase or decrease. They felt, however, that Soviet power would increase rather than decrease (63 to 18 percent) and that Chinese power would do the same (65 to 11 percent). Americans expressed these last two opinions more decisively than the citizens of the other twelve nations sampled.[13] It must be emphasized that these are very diffuse attitudes, at many steps remove from any policy issues directly affecting southern Africa. Still, people do volunteer some connection. A 1973 study sponsored by the Overseas Development Council (ODC) asked a national sample the open-ended question of what Third World countries would do if American aid were suspended. Far and away the top negative answer (20 percent of all

[12] C. F. De Villiers, F. R. Metrowich, and J. A. Du Plessis, *The Communist Strategy* (Pretoria, South Africa, 1975). Patrick Wall (ed.), *The Indian Ocean and the Threat to the West: Four Studies in Global Strategy* (London, 1975).

[13] *The Gallup Opinion Index*, no. 126 (January 1976) and Gallup Poll news release, January 18, 1976.

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replies) was that they "would go communist."[14] From this scattered evidence one can conclude at least that there is some disposition to be concerned about strategic cold-war issues and to see them as relevant to areas like southern Africa. At the same time, there is clearly little disposition to go rushing in with American troops, or even with substantial military aid. This latter, however popular it may have been with some parts of Congress, is far and away the most unpopular form of aid among the American public (opposed flatly by 49 percent of the sample in the ODC study, a figure that would be no lower today).[15]

The principal elite interest group with a stake in accentuating the strategic component of American foreign policy is, of course, the military. Compared with business leaders or the population as a whole, military officers consistently favor higher defense spending and demonstrate willingness to use armed intervention as a policy instrument in peripheral areas of the world. Even with this group, however, there are important nuances. For example, in the Russett-Hanson study, military officers are far more inclined to see upheavals in the Third World as occasioned by nationalism than by communist penetration—and on this issue, at least, they adopt a more "liberal" position than politicians of either party or than business or labor leaders.[16] Furthermore, as students of the American military and of Washington bureaucratic politics remind us, the military is hardly a unified group. Getting the Air Force and the Navy to agree on any aspect of a strategic doctrine (except that ground forces should receive lowest priority) requires diplomatic skills and the exercise of raw power of a very high order. Still, while the services and other interest groups within the Department of Defense and some of the intelligence agencies may argue over the relative priorities of expenditures and of favorable arrangements with accommodating foreign governments, when pressed their arguments are likely to be less of the "either/or" variety than of the "both/and"; that is, they will, when pushed, reinforce one another in the hopes of picking up trade-off support for future higher-ranked priorities. Thus, if the Navy wants to get concerned about the safety of the Cape route, the Air Force may eventually be persuaded to go along with such an unpromising distraction in hopes of later Navy enthusiasm for high-performance bombers.

Southern Africa's noneconomic strategic interest for the United States should be considered under at least three quite distinct rubrics, each of which has potentially very different policy ramifications: (1) U. S.-USSR mutual nuclear deterrence; (2) protection of the shipping lanes; (3) competition for political and military influence in southern African countries.

Southern Africa enters the arcane calculus of the Soviet/American balance

[14] Paul A. Laudicina, *World Poverty and Development: A Survey of American Opinion* (Washington, D. C., 1973), p. 39.

[15] Ibid., p. 42. For some roughly comparable 1975 attitudes toward United States military aid, see "U. S. Commitments Should Remain Unchanged in Post-Vietnam Era," *The Gallup Opinion Index*, no. 121 (July 1975), 14–29.

[16] Russett and Hanson, *Interest and Ideology*, p. 71.

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of terror principally through the possibility of stationing atomic missile-bearing submarines in the Indian Ocean. That body of water is blessed with a complicated bottom configuration which produces irregular currents and thermal layers capable of baffling listening devices; thus, the Indian Ocean is an attractive place to hide submarines. The escalation of Soviet surface movements along the eastern African littoral began in 1967, the same year in which the deployment of Poseidon submarines brought the central Soviet Union within the range of missiles launched from the Indian Ocean north of the equator. (Soviet port visits have increased from one in 1966 to an average of forty-five in recent years.) Trident I missiles have a range of 4000 miles (putting Moscow in range of a submarine off Zanzibar) and the 1980s generation of Trident III missiles, with a 6000-mile range, would allow a submarine commander to devastate Petropavlovsk by pushing a button while cruising off Beira.[17]

The Soviet Navy is quite aware of such strategic calculus, and Admiral Gorshkov has doubtless used these points to argue for the establishment of the new Soviet surface (and presumably submarine) fleet in the Indian Ocean, with its principally defensive and antisubmarine warfare armament. (Whether or not this surface power actually would serve to catch any of the American submarines is another question.) Following suit, the American Navy, particularly the carrier Navy, has used the presence of the Soviet surface fleet to argue for the stationing of a nuclear carrier task force in the Indian Ocean and, of course, the construction of a major Indian Ocean base in the middle of the water at Diego Garcia.[18] Diego Garcia, as an uninhabited (or more precisely, recently depopulated) archipelago, offers the political attraction of no native population to cause diplomatic fusses. At the same time, it is unlikely to possess the extensive facilities needed to service large numbers of ships in a major extended confrontation, so the newly enlarged service yards at Simonstown on the Cape peninsula might yet get the use the South Africans so ardently covet. Indeed, the presence of Diego Garcia, rather than serving as a substitute for an African continent base, might in time be used as an argument for a mainland backup facility.[19]

Many questions remain to be answered concerning the Indian Ocean's po-

[17] The writings on Indian Ocean strategic questions are voluminous. In addition to the indispensable hardware discussion in *Jane's Weapon Systems 1976* (London, 1976), a neophyte should see J. Bowyer Bell, "Strategic Implications of the Soviet Presence in Somalia," *Orbis*, 19, no. 2 (Summer 1975); A. J. Cottrell and R. M. Burrell, "The Soviet Navy and the Indian Ocean," *Strategic Review*, 2, no. 4 (Fall 1974); David Johnson, "Troubled Waters for the U. S. Navy," *Africa Report*, 20, no. 1 (January–February 1975); and Michael T. Klare, "Superpower Rivalry at Sea," *Foreign Policy*, 21 (Winter 1975–1976).

[18] The U. S. Navy has paid much public attention to Admiral Gorshkov's ideas, including the translation, annotation, publication, and dissemination of a volume of his collected writings. Sergei G. Gorshkov, *Red Star Rising at Sea* (Annapolis, Md., 1974). One wonders if the Soviet Navy has been equally assiduous in spreading the thought of Admiral Zumwalt.

[19] See U. S. House of Representatives, Hearings before the Sub-Committee on the Near East and South Asia of the Committee on Foreign Affairs, 83d Congress, 2d sess., *Proposed Expansion of U. S. Military Facilities in the Indian Ocean* (Washington, D. C., 1974). The testimonies

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tential role in nuclear deterrence. For example, since the Indian Ocean lies at a considerable distance from any American submarine base, a Polaris or Trident vessel must spend a substantial percentage of its cruising time just getting to where it can be on station within range of a worthwhile target. At present it seems likely that the United States views the Indian Ocean principally as an open option to be used very occasionally, but with enough flexibility so that the Soviets feel obliged to stretch their antisubmarine warfare resources to patrol a large, distant, and frustrating body of water.[20] Given the financial and political complications of such a strategy, except as a rationale for the navies of both sides to increase their forces, its logic appears as shifting as the Indian Ocean's currents.

The defense of the Cape route, once extolled as necessary for guarding British control of India, has taken on renewed interest now that the Western world has noticed how much it depends on oil. The Cape route is easily linked in the public mind with the Indian Ocean, and the Indian Ocean with strategic access to the oil-producing states of the Arabian Gulf. These linkages must be regarded with some skepticism. Diego Garcia is already 2000 miles away from most of the oil-producing states, and any South African base is so far away that the only quick strike capability would have to come from a sea-launched nuclear missile—not the best way of assuring a continued oil flow. Southern African bases are simply irrelevant to the protection or intimidation of the Gulf states. The Cape shipping route is another matter, but again one must look carefully at what the issues are. There are over 1000 miles of open water south of the Cape of Good Hope; while Antarctic gales increase the hazards of passage far off shore, hostile submarines would still have to be deployed in massive numbers in order to interdict passage of oil. Their activities could, of course, raise the cost of such shipment, particularly to Europe, but serious harassment would quickly be regarded as a *casus belli* by the afflicted nations, thereby transforming the conflict into one which would probably be fought elsewhere. If the Soviet Union were seriously going to interdict shipping from the Persian Gulf, it would do so at the Strait of Hormuz, reachable by airplanes based in the Soviet Union itself, or by ships operating some 6000 miles away from the Cape of Good Hope.

The final strategic concern that affects policy toward southern Africa is that involving the balance of influence between East and West in the southern African states themselves. This is primarily a political issue, but it has two separate military elements. The first of these, much heralded since the 1975 visit of the American congressmen to Somalia, is the threat that the Soviet Union

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of Earl C. Ravenel, and Admirals Gene R. La Rocque and Elmo R. Zumwalt, Jr., are particularly relevant.

[20] A concise discussion of such antisubmarine warfare considerations can be found in Geoffrey Kemp, *Nuclear Forces for Medium Powers; Part II and III: Strategic Requirements and Options. Adelphi Papers*, no. 107 (London, 1974), pp. 7–8.

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will actually construct major military bases in the southern African area which would be used to augment Soviet strategic military power in opposition to that of the United States. The evidence seems very slight that the Soviets want such bases, even slighter that any countries in the area are prepared to give them such facilities, and slighter yet that such bases would serve any substantial military purpose, except possibly to increase the bureaucratic weight of the Navy within the Soviet military establishment. The existing Soviet military bases in Africa, in Conakry and Berbera are much further north where they bear some relation to European, Mediterranean, and Arabian sea interests, and in any case are small-scale service stations, in no way comparable to American bases like Rota, Subic Bay, or Yokosuka, or even potentially Diego Garcia.[21] One can hardly claim that the Conakry base has in any way interfered with major American interests in Guinea, which have been confined to making sure that Olin Mathiessen and Harvey Aluminum continue to enjoy profitable access to Guinean bauxite. Given the games the two countries have been playing in the Indian Ocean, it would seem that the best way of dissuading the Soviets from wanting to establish any sort of military base in southern Africa is for the United States to make it clear that it is not going to try to beat them to the punch.

The second military aspect is, of course, the use of American military force, through showing the flag and less subtle forms of gunboat diplomacy, to affect the political course of the independent nations of southern Africa. The so-called Nixon Doctrine of 1969 envisages the promotion of what it calls "orderly change" through the combination of military support for "responsible" local powers, and the coercive offshore influence of the U. S. Navy and the Marines. The political background for this doctrine's application in southern Africa was laid in the famous "option II" of the 1969 National Security Council study NSSM 39, which advocated a "tilt" toward the white regimes.[22] The objections to the Nixon Doctrine, particularly as it might be applied in southern Africa where the definition of "responsible powers" is subject to varying interpretation, go beyond the subject of this article. Suffice it to say that simple political means appear to be far and away more cost-effective than any major military presence in the area, and that "disorderly" change in the area is likely to be of far greater concern to the Republic of South Africa than to the United States of America.

Understanding the Political Dimensions

An influential study published in 1969 by the Council on Foreign Relations began its discussion of American policy toward Africa thus: "Through most of American history . . . Africa essentially did not exist as an independent concern

21 Klare, "Superpower Rivalry at Sea."

22 The leaked text of NSSM 39 has been published as *The Kissinger Study of Southern Africa*, edited and introduced by Mohamed A. El-Khawas and Barry Cohen, preface by Edgar Lockwood (Westport, Conn., 1976). The authenticity of the text is not seriously disputed.

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of foreign policy. . . . Militarily, economically, and politically, Africa in American governmental policy was only an adjunct to relationships with Europe."[23] Despite sporadic flurries of interest during the Kennedy and Johnson years, one must conclude that this historic pattern has remained dominant, particularly in the political domain. American policy in southern Africa in particular has proceeded in the absence of any accepted political analysis of southern African issues on their own merits or as they directly relate to American political interests independent of its involvements with the rest of the world. When such analyses have been prepared, as by the Department of State's African Bureau and occasionally by the Central Intelligence Agency, they have been neglected by the secretary of state and the White House, and their future production has been discouraged. Congressional leaders concerned with Africa, such as Congressman Diggs and Senator Clark, have encouraged more independent analysis, but their public and intragovernmental impact has been largely confined to the already committed.

Without such a generally accepted political analysis, American leaders have reacted to southern African events in three different ways: by ideological projection, by denial of political reality, and by treating Africa as an adjunct of more pressing relationships. Consistent with the Russett-Hanson findings, they have reacted overwhelmingly by projecting their domestic political ideology onto Africa. A comparison of Senate voting on four southern African issues between 1971 and 1975 with an index of the conservatism of their overall voting records demonstrates this projection. Of the ninety-two senators for whom sufficient information could be obtained, sixty-one are given scores by the Americans for Constitutional Action (ACA) lying either between 0 and 20 (very liberal) or 80 and 100 (very conservative).[24] The scores are based on their 1974 votes on nineteen issues (none of them dealing with Africa) selected by the ACA as a test of true conservatism/liberalism. The direction of their voting on the southern African issues can be predicted accurately for all but two senators (both known mavericks) on the sole basis of degree of conservatism/liberalism of their ideology as revealed in their votes. Nor is their degree of conservatism merely a reflection of their states' corporate interests: if one looks at the pairs of senators from those eight states in which the two differ by more than 50 points on their ACA rating, the votes split in the predicted direction in fourteen of the sixteen cases. (Interestingly, the two deviants were the more conservative senators from states containing corporations with substantial investments in South Africa who nevertheless voted on the liberal side of the southern African issues.) Recent

[23] Waldemar A. Nielsen, *The Great Powers and Africa* (New York, 1969), p. 245.

[24] The African votes are reported by the Washington Office on Africa, "Congressional Voting Record on Southern African Issues," Washington, D. C., May 1976. A fifth vote, that on the Mansfield resolution to prohibit the expansion of the Diego Garcia base, was not included as it seemed less clearly a southern African issue than the others. The ACA ratings are from *Congressional Quarterly Weekly Report*, 33 (February 22, 1975), 387–389. No votes in the ACA scale concern any African issue.

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presidents have tended politically to treat Africa, if they treated it at all, as an area for vague symbolization of an ideological or domestic policy position. Thus, John Kennedy made his very first appointment that of the ebulliently liberal Soapy Williams as assistant secretary of state for Africa. Lyndon Johnson halted American naval visits to Simonstown after black sailors were denied permission to go ashore, at the time when he was preoccupied with programs for racial equality at home. And Richard Nixon's "southern strategy" could be beautifully symbolized by his barely concealed support for the Byrd amendment and "tilt" toward white rule displayed in option II of NSSM 39. Nor do the majority of concerned constituents seem to behave much differently. The greatest volume of congressional mail on a southern African issue has been generated by groups opposing the repeal of the Byrd amendment. A very high percentage of these letters also include paragraphs on other authentic conservative causes, particularly the retention of the House Un-American Activities Committee and rejection of domestic gun control legislation.[25]

In typical American fashion, this political ideological dimension is scarcely articulated. Irrespective of ideology, Americans display a peculiar tendency to play down long-range political and ideological issues and to prefer to talk in economic and military terms, as if they were somehow more real, hardheaded, and practical. In debates over southern African policy this tendency has often concealed America's own interests and covered up the premises on which much of its policy has been based. This was most startlingly apparent during the Nixon years when the State Department repeatedly articulated the formal fiction that African leaders' overwhelming interest in economic development relegated their concern with political issues like liberation of still-dependent territories and racial justice to peripheral status. In effect, this represented a wishful projection of official American thinking onto the Africans themselves. In November 1974 the then assistant secretary of state for African affairs, Donald Easum, publicly broke with this position by reporting after a southern African tour that "two major issues dominated the thoughts of my hosts. They concerned, first of all, human dignity and racial equality in southern African—and secondly, decolonization and national self-determination."[26] The speech was his swan song, as he was soon replaced in that post by the former ambassador to Chile, an appointment explained as part of Henry Kissinger's campaign to break up State Department area fiefs and to promote a more global political perspective within the department.

For Kissinger the global perspective has meant a subordination of African policy to considerations of America's more pressing relations with the Soviet Union and China, with the Western alliance, and with such priority concerns as the Middle East, Latin America, and residues of involvement in Asia. Ambassadors to Africa complain that they receive detailed instructions from Washing-

[25] Personal communication, Albert Cover, University of Michigan.

[26] Donald B. Easum, "Lusaka Manifesto Revisited," Patterson School of Diplomacy and International Commerce, University of Kentucky, November 26, 1974 (mimeo.).

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ton on what to say about the Panama Canal, Palestinian refugees, or democracy in South Korea, but very little about the issues that directly interest the governments to which they are accredited. The costs of such subordination of Africa's own concerns became abundantly apparent in the Angolan war when the secretary of state refused to listen to his own African Bureau's recommendations and reacted entirely as if the issue were a U. S.-USSR confrontation.[27] Consistent with the Nixon doctrine, he backed South African intervention and thereby provided the ultimate justification in most African eyes for the introduction of Cuban troops. Nor did congressional opponents of Kissinger's Angolan policies come to grips with the African dimension of the war. The Congress earned itself Gerald Ford's description of "weak-kneed" not by challenging the political premises of policy, but by invoking symbols of congressional privilege, CIA dirty tricks, and American boys dying in Vietnam.

True to his supremely political nature, Kissinger developed his policy in disregard of the most prominent American economic interest in Angola, that of Gulf Oil. Here was a situation in which a major American multinational firm was pumping 144,000 barrels of oil a day from Cabinda and paying taxes and royalties to the government bank in Luanda. From all reports the relations between Gulf and the Soviet and Cuban-backed Movimento Popular de Libertação (MPLA) were cordial, and Gulf's payments substantially exceeded the amount of money that the United States government was covertly funneling into the MPLA's opponents, the Frente Nacional de Libertação de Angola (FNLA) and the União para la Independência Total de Angola (UNITA). Through direct State Department pressure, Gulf was obliged to suspend operations and to pay its royalties and taxes into a special escrow account. These funds were eventually turned over to the Angolan government and operations resumed, at about one-third the previous level, only after the MPLA's victory was recognized by the world community. In the meantime Angola's MPLA leaders bitterly attacked the State Department as well as Gulf for acceding to the department's pressures, while praising the more cooperative attitudes of other multinational corporations.[28]

Conclusion

With no significant domestic constituency and little public concern or understanding, southern Africa is, in political terms, something of a "free-play area"

[27] See, in particular, Kissinger's press conference remarks on Angola, December 23, 1975.

[28] As Robert Keohane has pointed out in "Not 'Innocents Abroad': American Multinational Corporations and the United States Government," *Comparative Politics*, 8, no. 2 (January 1976), 307–320, political manipulation of American multinational corporations, particularly the oil companies, by the U. S. government has been a recurrent feature of American policy in areas of the world where major political interests are deemed to be at stake. While in the long run the government may well find some way of sweetening Gulf's disappointment, we must not loose sight of the fact that the decision to halt production was imposed by State's Kissinger, not by the MPLA's Neto or Gulf's Dorsey.

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for American political leaders. Most have reacted passively, as we have seen, in terms of their domestic political ideology. The few who have become more directly involved have in general received neither reprisals nor rewards from their constituents. Kissinger eventually sought to capitalize on this free-play characteristic by sharply reversing the "tilt" in his southern African policy in his Lusaka speech of April 27, 1976, and then following up with his shuttle diplomacy on the Rhodesian issue. Characteristically, Ronald Reagan's attempt in the 1976 primary elections to capitalize on Kissinger's reversal evoked little voter interest in comparison to his jingoistic statements on the Panama Canal, and neither Gerald Ford nor Jimmy Carter was able to turn discussion of southern African policy to his advantage in their televised debate on foreign policy.

In light of the above, one may conclude that within very broad limits, America's vital economic and strategic interests set few serious constraints on the development of policy toward southern Africa. In the absence of such constraints and of general public awareness, overall policy is most likely to be defined broadly (and somewhat irrelevantly) by the symbolic extension of domestic political ideology with the occasional interjection of considerations derived from concerns with the international balance of power between the United States and the Soviet Union. So long as no leader proposes anything approximating direct American military involvement and massive foreign aid expenditures, public opinion is unlikely to react directly to a policy initiative one way or the other. As with most international issues, southern Africa offers the ambitious politician few rewards in the form of votes, and few deprivations either.[29]

Nevertheless, any American administration inclined to accept the view presented above that the most prudent and cost-effective policy to protect American economic and strategic interests would be to work with, rather than against, the indigenous African forces of change, should find such a policy politically possible to implement. While it is beyond the scope of this article to lay out the details, the following general principles ought to underly such a policy.

In the United States, any redirection of policy ought to be carried out with a minimum of fanfare. With little short-term political advantage to be gained, an administration should avoid the sort of rhetorical excess that invites opposition to mobilize on partisan or ideological lines. It is quite possible to carry out major policy initiatives without the drama of a secretary of state publicly flying between secret meetings and inviting reactions to his person and style, as much as to his policy.

In Africa, American policy should express a broad commitment to full political participation for all African populations, but beyond that eschew attempts to dictate specific outcomes. On the one hand this should permit the United States

[29] David R. Mayhew, *Congress the Electoral Connection* (New Haven, Conn., 1974), especially the discussion of particularization of benefits and symbolization, pp. 122–138. Personal communication from some of those few politicians actively interested in African matters confirms the specific applicability of the generalization to Africa.

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to avoid identification with any specific contending liberation group, as happened with such cost in Angola. Except at great expense, the United States has few direct means of control over outcomes where black groups oppose one another, and cannot hope to compete with the Soviet Union in terms of credit for past support. By a public and private willingness to cooperate with a variety of groups, the United States offers the eventual winner maximum opportunity to avoid dependence on Soviet support. As Kissinger came to appreciate, the "frontline presidents" (of Angola, Botswana, Mozambique, Tanzania, and Zambia) are the natural group through which to coordinate relations with liberation groups. On the other hand, this same broad commitment includes acceptance of the continued presence of white communities, particularly in South Africa.[30]

Those in Africa and in the United States who would support such a redirection of American policy over the long run might usefully concentrate their efforts on building a greater American understanding of African political issues in terms appropriate to the situation, so that public debate can be carried on in something other than cold-war rhetoric leavened with an occasional injunction about the necessity of preventing a "racial bloodbath." It would also make tactical sense to pay some attention to national elections. South Africa's lobbyists have long understood that the best practical way to affect the overall "tilt" of American policy in southern Africa is to affect the balance in the American government between conservative racists and liberal integrationists, irrespective of their interests in southern African questions per se.[31] Their wisdom is borne out in the analysis of congressional voting presented above. Finally, it is advisable, for practical as well as analytic purposes, to avoid blanket attacks on bogeymen like the "military-industrial complex." However soul-satisfying, such attacks not only miss the target, they miss the opportunity to pick up tactically useful allies, including part of the American business community as well as important segments of the military and foreign policy bureaucracies. For once, progressive critics might find it nice to have a Gulf Oil on their side.

[30] It should be noted that the 1969 Lusaka Manifesto on Southern Africa, in which thirteen chiefs of state of East and Central Africa laid out their rationale and strategy for ending white rule in southern Africa, explicitly accepts this last point. Since then, no serious black leader in southern Africa has publicly questioned the principle. Paragraph eight of the Manifesto begins: "Our stand towards Southern Africa thus involves a rejection of racialism, not a reversal of the existing racial domination. We believe that all the peoples who have made their homes in the countries of Southern Africa are Africans, regardless of the colour of their skins; and we would oppose a racialist majority government which adopted a philosophy of deliberate and permanent discrimination between its citizens on grounds of racial origin."

The complete text of the manifesto may be found as Appendix Two in Kenneth Grundy, *Confrontation and Accommodation in Southern Africa* (Berkeley, Calif., 1973).

[31] See, for example, "U. S. Democrats and R.S.A.," *South Africa Foundation News*, 2, no. 8 (August 1976).

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The Bargaining Chip and SALT

ROBERT J. BRESLER
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The bargaining chip, like the domino theory of the 1950s and 1960s, has become one of the most voguish ideas in the field of weapons development. Yet the concept is perhaps as old as arms competition itself—certainly as old as nuclear arms competition. Decisions to build major weapons systems have frequently been justified by their promise of some future diplomatic advantage. In April 1945 James Byrnes purportedly told President Truman that the atomic bomb would put the United States "in a position to dictate our own terms at the end of the war."[1] While there is little evidence the United States actually put forward the atomic bomb as a bargaining chip—offering to exchange its secrets for Soviet political concessions—Truman and Secretary of War Stimson did at least *consider* offering the Soviet Union partnership in an international control commission in exchange for "settlement of the Polish, Rumanian, Yugoslavian, and Manchurian problems."[2] The idea came to naught. Atomic weapons continued to be stockpiled and their promised postwar political advantage awaited fulfillment. An early study of arms control and disarmament negotiations in the late 1940s and 1950s concluded that the talks had become "one form of the arms race itself, the aim of each nation being an increase in its relative power position."[3]

[1] Harry S. Truman, *Year of Decisions* (Garden City, N. Y., 1955), p. 87.

[2] Stimson Diary, June 6, 1945, cited in Thomas T. Hammond, "Atomic Diplomacy Revisited," *Orbis*, XIX (Winter 1976), 1427.

[3] John W. Spanier and Joseph L. Nogee, *The Politics of Disarmament: A Study in Soviet-American Gamesmanship* (New York, 1962), p. 15.

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The purpose of this article is to evaluate the bargaining chip concept effectively, and to do this we need to understand its precise function in the strategic dialogue since SALT I.[4] The following are the kinds of questions we seek to answer: Have bargaining chip policies helped or hindered United States efforts to achieve a satisfactory agreement with the Soviets? If some bargaining chip policies do help, which ones are they and why? What role did Safeguard play in securing the ABM treaty and Interim Agreement limiting Soviet SS-9 heavy missiles? Is there agreement among defenders of the concept as to what constitutes a bargaining chip? Are bargaining chip arguments the same for all strategic weapons systems or do they vary with particular weapons? Must a weapon go into production in order to be a bargaining chip? What distinguishes a bargaining chip which stimulates an agreement from one which simply stimulates further competition? To what extent does the bargaining chip argument serve a domestic political function, i.e., as a smokescreen behind which controversial weapons are shepherded through Congress? And finally, is the bargaining chip a ploy by which SALT is converted into a mechanism for rationalizing and institutionalizing the arms race?

Justification for Bargaining Chip Strategies

The term "bargaining chip" came into prominence with the onset of the SALT talks. A recent Library of Congress study defines the bargaining chip as "any military force, weapons system or other resource, present or projected, which a country expresses willingness to downgrade or discard in return for a concession by a particular rival."[5] The bargaining chip first gained credence in 1968 when both Senator Henry Jackson (D-Wash.) and then Congressman Melvin Laird (R-Wis.) argued that it was more than coincidence that the Soviet Union agreed to begin the SALT talks soon after the Senate approved the Sentinel ABM System.[6]

The bargaining chip concept reached broad acceptance with the signing of the SALT I agreements. President Nixon and Defense Secretary Laird argued that those agreements were a direct result of our decision to go forward with Safeguard ABM, Poseidon submarine, and Minuteman III missiles. They pointed to our decision to continue in 1969 with the construction of Safeguard as essential in persuading the Soviets to accept limits on their weapons activities, specifically

[4] For an interesting theoretical approach to the bargaining chip which we have found valuable, see Thomas C. Schelling, "A Framework for the Evaluation of Arms-Control Proposals," in Franklin A. Long and George W. Rathjens (eds.), *Arms, Defense Policy, and Arms Control* (New York, 1976), pp. 194–200.

[5] U. S. Senate, Committee on Armed Services, *United States/Soviet Military Balance: A Frame of Reference for Congress* (prepared by the Library of Congress), 94th Cong., 2d sess., 1976, p. 58.

[6] Alton Frye, "U. S. Decision Making for SALT," in Mason Willrich and John B. Rhinelander (eds.), *SALT: The Moscow Agreements and Beyond* (New York, 1974), p. 74.

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in agreeing to limit to 313 their SS-9 missiles. Henry Kissinger told a delegation from Congress soon after the SALT I agreements were signed that the connection between ABM and SS-9 was quite clear. "We could not have negotiated the limitations on offensive weapons if it had not been linked to the limitations on defensive weapons and to their [the Soviet's] desire of stopping the deployment of [our] ABM System."[7]

Consequently, Nixon and Laird insisted that our future or success in SALT II depended on whether the Congress would approve a new set of bargaining chips such as the Trident submarine, the B-1 bomber, and the cruise missile.[8] The breadth of support this idea could command was underscored in June 1972, when Senator Mike Mansfield (D-Mont.), often a Nixon administration critic, cosponsored Senate Resolution 242 committing Congress to the proposition that the SALT agreements "were made possible by maintenance in the United States of a strategic defensive posture second to none."[9]

Since 1972, however, the concept has been questioned with greater frequency and has become a central issue in our strategic policy debates. The former chief of the SALT I delegation and director of the Arms Control and Disarmament Agency (ACDA), Gerard C. Smith, has criticized bargaining chips and bargaining chip theories as "unproductive" and "bankrupt."[10] Averell Harriman has declared that "the bargaining chip theory should be abandoned. It is utterly discredited."[11] The debate over the bargaining chip has raised some of the most serious and complex issues of strategic arms policy.

Kinds of Bargaining Chips

In order to evaluate how important the bargaining chip strategy was in bringing about the SALT I agreement, it is necessary to rigorously analyze the bargaining chip argument. One way to begin is by constructing a number of analytical categories within which to assess the dynamics of the bargaining chip and arms

[7] U. S. Senate, Committee on Foreign Relations, *Strategic Arms Limitation Agreements: Hearings on S.J. Res. 241 and S.J. Res. 242*, 92d Cong., 2d sess., 1972, p. 410 (hereafter cited as Senate, *SALT Agreements*). That this is still a fashionable argument is illustrated by the recent Senate debate on the FY1977 Military Procurement Authorizations. In seeking to restore funds that the Senate Armed Services Committee had cut from the naval cruise missile program, Senator Robert Griffin (R-Mich.) stated: "Any indication that the Congress is likely to unilaterally curtail the cruise missile program could undercut the President's negotiating position at SALT II," *Congressional Record*, May 26, 1976, p. S 8044.

[8] Luther J. Carter, "Strategic Arms Limitation (II): Leveling Up to Symmetry," *Science*, February 21, 1975, p. 629; also see text of President Nixon's June 22, 1972, news conference in *Congressional Quarterly*, July 1, 1972, pp. 1582–1583.

[9] I. F. Stone, "McGovern *vs.* Nixon on the Arms Race," *New York Review of Books*, July 20, 1972, p. 11.

[10] Quoted by Senator Edward Brooke (R-Mass.) in *Congressional Record*, June 10, 1974, p. S 10202.

[11] Statement by Averell Harriman in U. S. Senate, Committee on Foreign Relations, *Detente: Hearings*, 93d Cong., 2d sess., 1974, p. 8.

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control. Thus it is helpful to conceive of several types of bargaining chips. The typology offered here is not rigid, however, for various weapons systems may fall into more than one category. What starts out as one type of bargaining chip may acquire the characteristics of another. (MIRV, for example, well exemplifies this phenomenon.) The assignment of a weapons system to a particular category, then, reflects a judgment on the *dominant* rationale at a given point in time.

The Contingency Bargaining Chip

One bargaining chip is a weapons program which may be requested of Congress in the event the administration decides that the arms talks are lagging or may fail. The contingency chip can be interpreted as an implicit threat which often takes the form of a public signal. Experience indicates that the military feels more comfortable if such weapons are readily available in the event they are needed. Contingency chips often involve increased production and procurement of a weapons system already in the arsenal or soon scheduled to be. Dr. John Foster, former director of Defense Research and Engineering (DDR&E), has characterized such programs as those "we would need relatively soon if agreement is not reached, recognizing that we can stop or modify these programs if agreement is reached."[12] There are numerous specific examples: in June 1972, the Nixon administration insisted it would have asked Congress for a $15 billion a year crash program in the event the Moscow talks had failed.[13] Included would have been the deployment of additional numbers of Minuteman III missiles, an expanded site defense system, added launchers to Poseidon submarines, accelerated procurement of Trident, and development of submarine-launched cruise missiles (SLCM). In the absence of any hard evidence that this contingency program was communicated to the Soviet Union prior to the signing of SALT I, documentation of the precise use of this chip is difficult. First public disclosure of this contingency plan was made in remarks by President Nixon on June 29, 1972. (Much of this contingency plan has found its way into the military budget in the past several years. As noted earlier, what begins as one type of bargaining chip soon evolves into another.)

Recent uses of the contingency chip have been more frequent and less ambiguous. President Ford on August 19, 1975, publicly warned that unless an agreement was achieved in SALT II, he would ask Congress for an additional $2–3 billion for strategic weapons programs.[14] Similarly, the present director of

[12] U. S. Senate, Committee on Foreign Relations, *ABM, MIRV, SALT, and the Nuclear Arms Race: Hearings before the Subcommittee on Arms Control, International Law and Organization*, 91st Cong., 2d sess., 1970, p. 425. For an alternative conceptualization of a "contingency chip," see Schelling, "A Framework," pp. 195–196.

[13] Arms Control and Disarmament Agency, *Documents on Disarmament, 1972*, pp. 437 and 514.

[14] Speech to American Legion, August 19, 1975, *Weekly Compilation of Presidential Docu-*

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DDR&E, Dr. Malcolm Currie, indicated that the acceleration of the new mobile land-based missile (MX) and the Trident II program were contingencies applied to SALT II. Currie told the Senate Armed Services Committee on February 5, 1976: "if we knew right now that there was no chance for a SALT agreement that Congress and the Executive could agree to, then right now, for example, we would have to accelerate MX and the Trident II programs."[15] Experience indicates the contingency chip is not a weapons system brought to the bargaining table but rather a threat to accelerate development or production of a system about which there appears little intention to negotiate. In a revealing comment in *Foreign Affairs*, Jan Lodal, director of program analysis in the NSC from 1973–1975, indicated that the United States is reluctant to accept a Soviet offer for an outright ban on mobile ICBM's, "because of Pentagon pressure to keep the option for a land-based mobile system open."[16]

The contingency chip also serves an important domestic political function. It can be invoked to convince skeptics of the SALT process that in the absence of an agreement the rate of arms spending will be considerably higher.

The Specific Bargaining Chip

Another bargaining chip is a weapon designed, in part, to persuade the Soviets to do something quite explicit. Unlike the contingency chip, these specific chips are to be brought to the negotiating table for the explicit purpose of being traded away. Safeguard ABM was considered to be a trade-off for the Soviet SS-9; MIRV was at one point proposed by Dr. Foster as a trade-off for the Soviet ABM.

This type of chip raises a number of disturbing questions. The only weapons system actually traded away at SALT was the full Safeguard program. Was this testimony to its viability as a bargaining chip or to the fact that both sides saw it as a superfluous and technologically ineffective weapon system? Whatever became of MIRV as a bargaining chip? Dr. Foster testified in 1971 that an ABM ban would eliminate the need for MIRV. Yet, after the ABM treaty was signed, MIRV production continued unabated.[17] What is to prevent weapons systems which are first presented as specific chips from becoming building blocks

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ments, August 25, 1975, p. 871; see also "Ford Warns USSR on Nuclear Weapons Talks," *Congressional Quarterly*, August 23, 1975, p. 1854.

[15] U. S. Senate, Committee on Armed Services, *Fiscal Year 1977 Authorization for Military Procurement, Research and Development, and Active Duty, Selected Reserve and Civilian Personnel Strengths: Hearings on S. 2965, Part 4, Research and Development*, 94th Cong., 2d sess., 1976, p. 2398 (hereafter cited as Senate, *Fiscal Year 1977*).

[16] Jan M. Lodal, "Assuring Strategic Stability: An Alternative View," *Foreign Affairs*, 54 (April 1976), 476.

[17] Cited in Graham T. Allison and Frederic A. Morris, "Armaments and Arms Control: Exploring the Determinants of Military Weapons," in Franklin A. Long and George W. Rathjens, (eds.), *Arms, Defense Policy, and Arms Control* (New York, 1976), p. 121.

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due to constituency pressures, bureaucratic politics, and/or technological momentum?

The Psychological Bargaining Chip

A third bargaining chip is not designed to extract any particular concession from the Soviets nor is it, for that matter, brought to the negotiating table. The psychological chip is, rather, conceived as a means of enabling the president to "negotiate from strength," and hence may include virtually every ongong or proposed weapons system. While proponents of such chips argue that they have a direct relationship to the SALT talks, rarely do they appear to be the subject of negotiation. After the SALT I agreements were signed, the psychological chip was pressed into service in behalf of the Trident submarine and the B-1 bomber. If the Vladivostok Agreement is any indication, there is little hope that SALT II will restrain their development.

The Domestic Bargaining Chip

The fourth chip has only a remote relationship to the actual negotiating process. It is given to the military in exchange for their support for a particular arms control agreement. In the case of SALT I it was made unabashedly clear. Representative Price (D-Ill.), while defending the $110 million supplemental appropriation requested by the Nixon administration in 1972, put it thusly: "The SALT agreement is supported by the members of the Joint Chiefs of Staff on the basis that additional effort will be made in research and development on these systems or programs mentioned."[18]

Each one of the following weapons systems has served an implicit or explicit bargaining chip function according to the four categories above. Some fit several categories, others only one or two. An evaluation of the bargaining chip concept can be made more effectively as one sees how the bargaining chip argument weaves in and out of the history of these weapons systems.

ABM—The Bargaining Chip that Worked?

On returning from Moscow after SALT I, Henry Kissinger joined President Nixon and Secretary Laird in publicly proclaiming the importance of Safeguard ABM as an effective bargaining chip in securing the agreement. "Our experience," Kissinger insisted in June 1972, "has been that an ongoing program is no obstacle to an agreement and, on the contrary may accelerate it. That was certainly the case with respect to Safeguard."[19] Yet in its early presentation of

[18] *Congressional Record*, June 27, 1972, p. 22528.
[19] Senate, *SALT Agreements*, p. 403.

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the Safeguard system, the Nixon administration did not emphasize its bargaining chip role. Quite the contrary, Secretary Laird in response to a question from Senator George Aiken (R-Vt.) in March 1969, regarding Safeguard's importance as a bargaining chip insisted: "I believe that this system stands on its own feet, on its merits."[20] Only after the system ran into opposition in the Senate did the administration emphasize the bargaining chip claim. On the eve of a Senate debate on ABM in 1970 Gerard Smith sent a telegram to the Senate emphasizing the importance of Safeguard to the SALT talks.[21] Henry Kissinger, in meeting with congressional leaders on July 23, 1970, insisted that Safeguard was essential as a bargaining chip for gaining Soviet agreement to limit their SS-9 program.[22]

According to Alton Frye, who served at that time as an aide to Senator Brooke (R-Mass.), "the power of the President's appeal to senators not to rob him of diplomatic leverage was best measured by the Senate's willingness to disregard the virtually decisive technological critique."[23] A declassified Department of Defense study uncovered by Senator Fulbright (D-Ark.) indicated that Safeguard was ineffective in defending the Minutemen sites.[24] Yet the claims of the bargaining chip pushed what Frye called this "technological bombshell" into the background and overrode any objections to the system. As Lawrence Weiler, former counselor of ACDA and a member of the SALT delegation, recently remarked, after the Safeguard program "had produced enough opposition to deployment—based on technical, emotional, strategic and arms control grounds . . . only the bargaining chip argument could keep the program alive."[25]

Since SALT I did result in limiting SS-9s to 313 and ABM sites to 2, there seems to be a prima facie case that, in this instance, the bargaining chip worked. While no one can simply rebut that claim, serious doubts have been raised. How could a system that had been exposed as having serious technological deficiencies be presented to the Soviet Union as a credible bargaining chip? Frye sees Safeguard as a stumbling block rather than a bargaining chip in SALT inasmuch as

[20] U. S. Senate, Committee on Foreign Relations, *Strategic and Foreign Policy Implications of ABM Systems: Hearings before the Subcommittee on International Organization and Disarmament Affairs, Part I*, 91st Cong., 1st sess., 1969, p. 178.

[21] *Congressional Quarterly*, August 14, 1970, p. 2037.

[22] John Newhouse, *Cold Dawn: The Story of SALT* (New York, 1973), p. 188.

[23] Alton Frye, *A Responsible Congress: The Politics of National Security* (New York, 1975), p. 43.

[24] Ibid. Other observers have reached similar conclusions about the bargaining chip argument and the 1970 ABM debate. "There can be little doubt that some Senators by 1970 had serious doubts about the technical and military effectiveness of the system, but supported continued deployment primarily because they belived the Administration's argument that it [ABM] was needed to secure a satisfactory SALT outcome." G. W. Rathjens, Abram Chayes, and J. P. Ruina, *Nuclear Arms Control Agreements: Process and Impact* (Washington, D. C., 1974), p. 18.

[25] Lawrence D. Weiler, *The Arms Race, Secret Negotiations and the Congress*, Occasional Paper No. 12 (Muscatine, Iowa, 1976), p. 17.

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"the right to install the first elements of Safeguard" became an objective of the United States delegation in the SALT talks.[26]

John Newhouse, in his semiofficial account of the SALT talks, recognizes Safeguard's technological deficiencies as a bargaining chip but argues, nevertheless, that the system may have persuaded the Soviets due to its growth potential.[27] But one can turn that argument around. It is equally plausible that congressional action in 1970 blocking administration plans for a full twelve-site ABM, known as phase II, prevented constituent pressures from building up around an elaborate ABM infrastructure. As Jerome Slater has put it: "Faced with effective Congressional opposition to all but the most minimal ABM system, the Nixon Administration was compelled to seek a negotiated abolition or strict limitation on ABM during round one of SALT."[28] In other words, congressional opposition to Safeguard phase II forced the Nixon administration to settle for only two sites, precluding the need for a Soviet SS-9 force beyond 313. The Soviets had in fact halted the construction of new SS-9 sites at 313 almost a year before the SALT I agreements were signed.[29]

Either way, the case for the ABM is difficult to prove. The showcase of the bargaining chips remains a murky example at best. Restraint on ABM, imposed by the Congress, may have been more important to gaining the agreement than building the weapons system itself.

Trident—The Bargaining Chip for All Seasons

Reversing a previous recommendation by Deputy Defense Secretary David Packard in September 1971 to fund the Trident program (then known as ULMS) at a level of $418 million for FY73, Secretary Laird in January 1972 requested that the Trident program be accelerated, stepping up deployment from 1981 to 1978, and that funding be increased for FY73 to $926.4 million. Shortly after the January request Laird insisted that Trident "should not be looked at as a bargaining chip as far as SALT is concerned. That is not what it is all about."[30] Dr. Foster reiterated the same argument in March 1972, when he told Senator Symington (D-Mo.); "I prefer the ULMS, for a very simple reason. . . . It has nothing to do with bargaining chips. . . . It relates to the problem of ASW [antisubmarine warfare]."[31]

But after SALT these disclaimers were forgotten. Trident was now publicly

[26] Frye, *A Responsible Congress*, p. 86.

[27] Newhouse, *Cold Dawn*, p. 156.

[28] Jerome Slater, "The Case for Reviving the ABM," *The New Leader*, July 7, 1975. p. 10.

[29] Newhouse, *Cold Dawn*, p. 224.

[30] Quoted in *Congressional Record*, July 27, 1972, p. 25664.

[31] U. S. Senate, Committee on Armed Services, *Fiscal Year 1973 Authorization for Military Procurement, Research and Development, Construction Authorization for the Safeguard ABM, and Active Duty and Selected Reserve Strengths: Hearings on S. 3108, Part 3, Authorizations*, 92d Cong., 2d sess., 1972, p. 1890.

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touted both as a psychological chip for the upcoming SALT II negotiations and as a contingency against their failure. Laird told the Senate Armed Services Committee: "Just as the Moscow Agreements were made possible by our successful action in such programs as Safeguard, Poseidon, and Minuteman III, these future negotiations to which we are pledged can only succeed if we are equally successful in implementing such programs as the Trident system. . . ."[32] Kissinger used a similar argument in 1972 to persuade Senator John Stennis (D-Miss.) to drop his opposition to Trident.[33] Laird and Kissinger, it appears, were only telling a portion of the story. For Trident was, according to John Newhouse, a domestic bargaining chip that Kissinger had granted the chairman of the Joint Chiefs, Admiral Moorer, in exchange for his support of the Interim Agreement on Strategic Offensive Arms.[34] This understanding was made quite explicit in the congressional hearing following SALT I. Laird, speaking for himself and Admiral Moorer, told Senator Strom Thurmond (R-S.C.) that their support for SALT I was "predicated upon" congressional approval of the accelerated Trident program (as well as other programs including the B-1 bomber).[35]

In the September 1973 Senate debates on the acceleration of Trident, numerous senators, including Henry Jackson (D-Wash.), John Pastore (D-R. I.), and Abraham Ribicoff (D-Conn.), supported the administration bargaining chip claims. The emphasis was largely on Trident as a contingency chip. The administration argued that if Trident were not underway until 1981, there would be a four-year gap between the expiration of SALT I and the development of a new strategic system.[36] On close examination it appears that Trident, whatever its bargaining chip function—as a contingency or a psychological chip—was never meant to be brought to the bargaining table. In a revealing letter to their Senate colleagues, four senators with close ties to the Pentagon (Senators Fannin, Tower, Ervin, and Thurmond) saw little chance of our ever giving up Trident. "If further limitations are put upon submarine systems," the letter suggests, "it is more likely that it will be the older system, Polaris/Poseidon, that would be bargained away. We couldn't do so if we have nothing else."[37] The Vladivostok Agreement allowed the United States to do just that with Trident—use it to replace old and un-MIRVed Polaris submarines. The 1320 ceiling on MIRV launchers permits the United States to have 264 Trident missiles (11 boats),

[32] U. S. Senate, Committee on Armed Services, *Military Implications of the Treaty on the Limitations of Anti-Ballistic Missile Systems and the Interim Agreement on Limitation of Strategic Offensive Arms: Hearings*, 92d Cong., 2d sess., 1972, p. 4.

[33] Herbert Scoville, Jr., "Tinkering with the Balance of Terror, *The New York Times*, July 22, 1973.

[34] Newhouse, *Cold Dawn*, p. 246.

[35] U. S. Senate, Committee on Armed Services, *Fiscal Year 1973 Authorization for Military Procurement, Research and Development . . . Hearings on S. 3108, Addendum No. 1, Amended Military Authorization Request Related to Strategic Arms Limitation Agreement*, 92d Cong., 2d sess., 1972, p. 4219.

[36] *Congressional Record*, September 26, 1973, pp. 17679 and 17681.

[37] Ibid., July 27, 1972, p. 25661.

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496 Poseidon missiles (31 boats), and 550 Minuteman III's As with MIRV, the Trident bargaining chip has apparently become a permanent part of the arsenal. This should be no surprise, for Trident was first approved as a domestic bargaining chip in exchange for military acquiescence in SALT. Such a chip, while often used for psychological purposes, cannot easily be offered as a specific chip to be brought to the table, for that would violate the original terms of its formation. Once a chip plays a domestic function, it soon becomes a building block.

MIRV—The Counterfeit Bargaining Chip

Explaining the origins of MIRV merely as response to the Soviet ABM program is, as numerous authorities have cautioned us, a serious oversimplification.[38] One cannot discount the importance of bureaucratic politics and technological imperatives in the development of MIRV. Yet even in the pre-SALT environment when there was little use of the term "bargaining chip," Secretary of Defense Robert McNamara and others did at least perceive an implicit bargaining chip dimension in MIRV. McNamara, in the later years of his tenure in the Pentagon, had moved to the doctrinal perspective of assured destruction and had deepened his concern with arms control objectives. To McNamara, MIRV served in part a domestic bargaining chip function vis-à-vis the Air Force. In addition to being a cost-effective hedge against a Soviet ABM, MIRV enabled McNamara to blunt Air Force demands for more ICBM's (they wanted somewhere between 2000–10,000 Minuteman launchers).[39] By going forward with MIRV, McNamara could freeze Minuteman deployment at 1000 launchers and then tacitly allow the Soviets to expand their missile force to be roughly equivalent to ours—hoping that such equivalency could set the stage for an eventual arms control agreement. MIRV may well have been, in McNamara's view, a domestic bargaining chip granted the Air Force in order to enable him to pursue his arms control objectives. Yet, retrospectively, McNamara's objectives seem quite obscure. For, given the development of MIRV, it appears shortsighted to believe that a ceiling on Minuteman launchers would in itself be a stabilizing force in arms control. Ironically, the American arsenal by the early

[38] See, for example Allison and Morris, "Armaments and Arms Control," pp. 99–129; Ted Greenwood, *Making the MIRV: A Study of Defense Decision Making* (Cambridge, Mass., 1975); Jerome H. Kahan, *Security in the Nuclear Age: Developing U. S. Strategic Arms Policy* (Washington, D. C., 1975), pp. 99–109; Ronald L. Tammen, *MIRV and the Arms Race: An Interpretation of Defense Strategy* (New York, 1973); Herbert York, "Multiple Warhead Missiles," *Scientific American*, 229 (November 1973), 17–27. Greenwood's is the most current and comprehensive study.

[39] James A. Nathan and James K. Oliver, *United States Policy and World Order* (Boston, 1976), p. 302, and Herbert F. York, *Race to Oblivion: A Participant's View of the Arms Race* (New York, 1971), p. 152.

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1980s, rather than having the 10,000 launchers the Air Force desired, may well have 10,000 warheads.

Secretary of Defense Clark Clifford, no less than his predecessor, had a confused perception of the relationship of MIRV development to arms control, particularly as it concerned MIRV testing. Clifford approved the start of Minuteman III and Poseidon flight tests, believing that "an ongoing MIRV test series would provide added leverage for those [SALT] talks."[40] The implications of this psychological bargaining chip strategy do not appear to be well thought out, because Clifford did not alter his decision to test MIRV even after the SALT talks were delayed by the Soviet invasion of Czechoslovakia. He thereby allowed the tests to move to a much more advanced stage when the talks actually convened in November 1969—an oversight Clifford later came to regret.[41] For, MIRV, once tested, demonstrated an American superiority which the Soviets were unlikely to accept without moving forward with their own multiple warhead program.

As MIRV development progressed, it was no longer presented, as Clifford had done, as a psychological chip, but rather as a specific bargaining chip for the Soviet ABM. Dr. Foster made numerous public references linking MIRV and ABM. As he put it in 1969, "an effective limitation on Soviet ABMs should be a prerequisite to a ban on further MIRV testing." Later, in order to diminish support for congressional resolutions calling for a moratorium on MIRV testing, Foster made the specific bargaining chip argument even more explicit: "if a ban were placed on the ABM . . . there would be no need for the United States to deploy a MIRV."[42]

Senator Brooke's point that "the prospect of MIRV may well encourage diplomacy, the fact of MIRV development may well defeat it,"[43] appeared lost on the Pentagon. As their supporters in Congress were to repeat time and time again, the military does not consider research and development an effective bargaining chip. A number of years later, Senator Moss (D-Utah), speaking in another context, put the matter quite forthrightly: "Experience in the SALT talks has shown us that research alone is not overly threatening to the other side. What really matters is testing hardware in an operationally deployed system."[44] Despite Senate passage of a resolution calling for a MIRV moratorium in April

[40] Frye, *A Responsible Congress*, p. 51.

[41] Kahan, *Security in the Nuclear Age*, pp. 127–128; Frye, *A Responsible Congress*, p. 52.

[42] U. S. House of Representatives, Committee on Foreign Affairs, *Diplomatic and Strategic Impact of Multiple Warhead Missiles: Hearings before the Subcommittee on National Security Policy and Scientific Developments*, 91st Cong., 1st sess., 1969, p. 247; U. S. Senate, Committee on Armed Services, *Fiscal Year 1972 Authorization for Military Procurement, Research and Development, Construction and Real Estate Acquisition for the Safeguard ABM, and Reserve Strengths: Hearings on S. 939, Part 2, Authorizations*, 92d Cong., 1st sess., 1971, p. 1497.

[43] Quoted in Frye, *A Responsible Congress*, p. 72.

[44] *Congressional Record*, June 4, 1975, p. S 9627.

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1970 by an overwhelming vote of seventy-two to six, MIRV testing went forward. By June 1970, deployment of MIRV began on Minuteman III and Poseidon deployment was soon to follow.[45]

What happened during the actual SALT negotiations seems to underscore the disingenuous nature of the Nixon administration's bargaining chip rationale. In the second round of SALT (Spring 1970) the administration coupled a proposal linking a ban on the testing and deployment of MIRV with an on-site inspection clause (added over the objections of State and ACDA), a feature known to be abhorrent to the Soviets.[46] But on-site inspection notwithstanding, an agreement on MIRV was improbable at this point. For once the United States had begun testing MIRV, it was unlikely, as Marvin and Bernard Kalb point out, that the Soviets would deprive "themselves of the chance to catch up with the United States in MIRV technology."[47]

The reluctance of the Nixon administration to bring MIRV to the bargaining table can be traced to the military's own unwillingness to acquiesce in MIRV control. This point is emphasized by Ted Greenwood. "By 1968 the military commitment to MIRV was exceedingly strong. The programs were too far advanced, deployment schedules of Poseidon and Minuteman III were too integrated with maintenance and modernization of existing systems, and too many other programs had been given up along the way for the military to forego or delay the new MIRVed missiles willingly."[48]

MIRV stands out as an example of a weapons system granted to the military as a domestic bargaining chip for what appears to be insufficiently thought-out arms control objectives. It subsequently acquired such momentum that it was virtually impossible to dislodge it from our strategic forces. The use that Foster made of the specific bargaining chip argument appears particularly misleading. For he, of all people, must have known the extent to which the military's force posture for the 1970s and beyond was based on MIRV. Yet he persisted in suggesting that with ABM control, MIRV would be unnecessary, an illusion shattered by the terms of SALT I. It can be reasonably inferred that the specific bargaining chip argument advanced by Foster was a smoke screen to protect MIRV from the skepticism of the Senate. The Air Force, anxious for a damage limitation capability, knew full well why it wanted MIRV. This is a striking contrast with the shallowness of both McNamara and Clifford's thinking on the weapon's bargaining chip potential. In the process a revolutionary weapon, first conceived as a domestic chip, evolved into a psychological chip, briefly was presented by Foster as a specific chip, and eventually became a building block —a permanent part of the arsenal, legitimized by the Vladivostok Agreement. As MARV's replace MIRV's, the destabilizing effects of multiple warheards will become even clearer, a subject to which we will return.

[45] Frye, "U. S. Decision Making for SALT," p. 87.
[46] Newhouse, *Cold Dawn*, pp. 179–181.
[47] Marvin Kalb and Bernard Kalb, *Kissinger* (New York, 1975), p. 140.
[48] Greenwood, *Making the MIRV*, p. 127.

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Cruise Missiles—Bargaining Chips on Their Way to Becoming Building Blocks

In the aftermath of SALT I, Secretary of State Kissinger decided it would be useful to acquire additional bargaining chips for SALT II. One area of technology not limited by SALT I and not highly developed in the United States was the strategic cruise missile—a relatively cheap weapon which, unlike a ballistic missile, flies slowly at low altitudes and is, in essence, a highly accurate pilotless jet plane.[49] The United States had early versions of the cruise in the 1950s and largely abandoned them as inefficient. Secretary Laird, nevertheless, seemed quite enthusiastic about reviving the weapon and included a request for the submarine-launched cruise missile (SLCM) in the supplemental appropriation sought immediately after SALT I. Laird did not publicly justify the request on grounds of a bargaining chip. Rather, Laird stressed that cruise missiles were not limited by SALT; that they could be added to the first ten Polaris submarines in the fleet; and that they would, as an addition to our nuclear retaliatory force, place more stress on Soviet defenses.[50]

As the cruise missile program developed, it was divided between the Navy and the Air Force. The Navy was charged with developing SLCM, which could conceivably be launched from submarines, surface vessels, or planes, and the Air Force was assigned the air-launched cruise missile (ALCM) to be launched from manned bombers.[51] The bargaining chip rationale was ever present in face of evidence that the services were not initially enthusiastic about renewed attention to the cruise missile. In 1973 congressional testimony, Peter Waterman, a Navy Research and Development (R&D) official, indicated that the idea to proceed with a strategic cruise missile prior to perfecting a tactical cruise came from the secretary of defense, who apparently had bargaining chip motives in mind. "We have been asked," admitted Waterman, "by the Secretary of Defense to provide a demonstration of capabilities of all the elements of the strategic cruise missile in time relationship to the SALT negotiations."[52]

Whatever reluctance was initially felt by the military has largely dissipated.

[49] John W. Finney, "Cruise Missiles Provike Conflict Within the Military," *The New York Times*, January 21, 1976; Clarence A. Robinson, Jr., "Single Cruise Missile Set for Varied Use," *Aviation Week and Space Technology*, February 24, 1975, p. 19. For an excellent introductory article that covers most of the basic issues, see Kosta Tsipis, "The Long Range Cruise Missile," *Bulletin of the Atomic Scientists*, April 1975, pp. 15–26.

[50] U. S. Senate, Committee on Armed Services, *Amended Military Authorization Request Related to Strategic Arms Limitation Agreement: Hearings Addendum* 1, 92d Cong., 2d sess., 1972, p. 4244.

[51] Michael L. Yaffee, "Cruise Missile Engine Design Pushed," *Aviation Week and Space Technology*, July 7, 1975, p. 41; J. Philip Geddes, "The Sea Launched Cruise Missile," *Interavia*, 31 (March 1976), 260–263.

[52] U. S. Senate, Committee on Armed Services, *Fiscal Year 1974 Authorization for Military Procurement, Research and Development, Construction Authorization for the Safeguard ABM, and Active Duty and Selected Reserve Strengths: Hearings on S. 1263, Part 5, Research and Development*, 93d Cong., 1st sess., 1973, p. 3274.

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In the words of the director of the Stockholm International Peace Research Institute, "when the potentialities of the weapon became clear, considerable pressures built for the fastest possible development."[53] According to Rear Admiral G. E. Synhorst, assistant deputy chief of naval operations, SLCM will be put "on every submarine," necessitating some 1000 missiles. As for ALCM, military estimates suggest between 2000–3000.[54]

Thus, what Henry Kissinger viewed as an additional psychological bargaining chip for SALT II has created a constituency for development and deployment. "How was I to know," Kissinger has lamented, "the military would come to love it?"[55] This is a lesson Kissinger could have learned long ago, but with the love affair begun, he has had to bargain on cruise with both the Soviets and the Pentagon.

The Navy's Cruise Missile Project manager, Captain W. M. Locke, is convinced that the bargaining chip argument for cruise makes little sense if it lingers in the research stage. "The Soviet Union," Locke told a Senate committee in 1975, "will be interested in seriously negotiating a reasonable ban on cruise missiles when we have a believable capability."[56] This view, disdainful of R&D programs as bargaining chips, is shared by the civilian leadership of the Pentagon as well. According to Admiral Synhorst, in 1974 the secretary of defense told the Navy to push cruise development enthusiastically because "you cannot fool anybody by having it on paper. You must start developing it or no one will believe you."[57]

Yet having cruise anywhere else but on paper may severely complicate the arms control process. For cruise, once tested and deployed, becomes quite difficult to verify by national technical means. Thus, as in the case of MIRV, there

[53] Frank Barnaby, "Will the Cruise Missile Torpedo SALT?" *New Scientist*, 18 (December 1975), 681.

[54] Deborah Shapley, "Cruise Missiles: Air Force, Navy Poses New Arms Issues," *Science*, February 7, 1975, p. 418. John Finney has reported much higher potential deployment: " . . . Mr. Kissinger says that with no restrictions, the United States could potentially deploy 11,000 cruise missiles on existing bombers and transport planes and 10,000 others on nuclear submarines, all capable of reaching targets in the Soviet Union." "The Soviet Backfire Bomber and the U. S. Cruise Missile," *The New York Times*, December 3, 1975. Presumably these incredibly high estimates represent a maximum effort by Secretary Kissinger to *use* what he has viewed as a bargaining chip.

[55] Leslie Gelb, "Another U. S. Compromise Position Is Reported on Strategic Arms," *The New York Times*, February 17, 1976.

[56] U. S. Senate, Committee on Armed Services, *Fiscal Year 1976 and July–September 1976 Transition Period Authorization for Military Procurement, Research and Development, and Active Duty, Selected Reserve, and Civilian Personnel Strengths: Hearings on S. 920, Part 10, Research and Development*, 94th Cong., 1st sess., 1975, p. 5155 (hereafter cited as Senate, *Fiscal Year 1976 and July–September 1976*).

[57] U. S. Senate, Committee on Armed Services, *Fiscal Year 1975 Authorization for Military Procurement, Research and Development, and Active Duty, Selected Reserve and Civilian Personnel Strengths: Hearings on S. 3000, Part 7, Research and Development*, 93d Cong., 2d sess., 1974, p. 3629 (hereafter cited as Senate, *Fiscal Year 1975*).

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have been congressional attempts to enact a testing moratorium. In February of 1976, Senator Kennedy introduced a resolution calling upon the president to "offer to the Soviet Union an immediate mutual moratorium on flight testing of all strategic-range cruise missiles."[58] He defended the resolution with a succinct description of the verification problems posed by cruise.

> Because of the nature of the cruise missile it will be impossible to tell by looking at them whether a particular missile can travel a few hundred miles or a few thousand; whether it has a conventional or a nuclear warhead; whether it is a tactical weapon or a strategic weapon that can destroy missile sites and cities.
>
> When flight testing is finished and deployment begins, verification of cruise missiles may become impossible and it will be increasingly difficult to make firm judgments about the number of nuclear weapons on each side.[59]

There are few examples more graphic than cruise of how bargaining chips can so swiftly become building blocks. Once a bargaining chip is developed to the point at which people, in the words of Admiral Synhorst, "will believe you," serious new problems arise. Constituencies exist which are most difficult to overrule. Within a period of a few short years Admiral Synhorst himself had forgotten cruise was ever a bargaining chip. In response to a question from Senator McIntyre, the admiral forthrightly insisted that "the SLCM is not a SALT bargaining chip."[60] Yet the bargaining chip is still available when needed. In May of 1976 Senator Robert Griffin (R-Mich.), speaking in defense of cruise when $77.95 million was cut in committee from the SLCM program, resurrected the bargaining chip rationale, stating that "the Soviet Union clearly wants to restrict U. S. development of [cruise missiles] and might be prepared to make significant concessions to obtain some sort of agreement."[61]

More Missiles, Bigger Warheads, and Improved Accuracy—Bargaining Chips or Building Blocks?

In early 1974 Secretary of Defense James Schlesinger launched a debate on American nuclear strategy by advocating a more flexible targeting doctrine. He argued that flexibility (in the form of selective strikes on Soviet military and industrial installations) could be attained without "any increase in forces."[62]

[58] *Congressional Record*, February 25, 1976, p. S 2289.

[59] Ibid. See the amendment to the Procurement Authorization Bill offered by Senator McGovern (D-S. D.) on April 13, 1976, that would eliminate funding for ALCM's and SLCM's "unless the President certifies to Congress" the absence of a Soviet-American agreement covering them *and* the presence of a "national security interest to continue development of such missiles," *Congressional Record*, April 13, 1976, p. S 5615.

[60] Senate, *Fiscal Year 1975, Part 7*, p. 3660.

[61] *Congressional Record*, May 26, 1976, p. S 8044.

[62] U. S. Senate, Committee on Foreign Relations, *U. S.-USSR Strategic Policies: Hearings on U. S. and Soviet Strategic Doctrine and Military Policies*, 93d Cong., 2d sess., 1974, p. 2.

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He nonetheless requested funds for increased accuracy of American weapons, justifying this request by reference to the Soviet research and development program which might yield a "potential net throw weight for a major counterforce capability."[63]

Since 1974 a number of changes have been proposed in the nuclear arsenal which seem designed to give the *United States* a counterforce capability. What is important here are these changes in the arsenal—changes which have frequently been justified with the rhetoric of the bargaining chip. Three programs are of special concern: increased production of Minuteman III missiles, the development and procurement of a higher yield warhead for Minuteman (Mark 12-A), and the development of a maneuverable reentry vehicle (MARV).

In addressing the counterforce improvements sought by Secretary Schlesinger, Barry Carter has succinctly expressed the basic dynamic by which weapons justified as bargaining chips end up in the arsenal:

> If the U. S. counterforce programs are allowed to continue beyond the rhetoric of announcing them, these programs would operate to undercut any progress at SALT. Of course, if announcing these programs is just a short-term ploy designed to strengthen the U. S. bargaining position for the impending SALT II agreements, then little real harm will result . . . [but] new weapons programs tend to gain a momentum of their own once they are announced. High-level officials become publicly committed to rationales for them, rationales that include more than the systems' just being "bargaining chips."[64]

It would be an understatement to say that these programs have gone "beyond the rhetoric of announcing them." They are well on their way to becoming building blocks.

Minuteman III

In the summer of 1975 America's land-based missiles were scheduled to stabilize at 54 Titan II's, 450 Minuteman II's, and 550 Minuteman III's. With no follow-on missile anywhere near production, the Utah production line was to be closed.[65] Secretary Schlesinger then requested fifty additional Minuteman missiles. The rationale was as follows: the production line should be kept open "as a hedge against the breakdown of SALT II negotiations"; the additional missiles would be used for test purposes from 1984 to 1988; and, in the words of Utah's Senator Moss: "keeping our assembly line intact should provide some incentive to the Soviet Union to reach a final agreement on this new SALT accord as soon as

[63] Ibid., p. 18.

[64] Barry Carter, "Nuclear Strategy and Nuclear Weapons," *Scientific American*, 230 (May 1974), 28–29.

[65] As Senator Kennedy put it in May 1976: "Each year since 1972 we have been assured that the production line is going to close when the 550 [Minuteman III] are finally purchased." *Congressional Record*, May 26, 1976, p. S 8050.

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possible."[66] Senator Kennedy's amendment to delete the $203.1 million for the fifty additional missiles was defeated twenty-seven to fifty-six.[67]

In 1976 the issue surfaced again, with an April 27 supplemental administration request for $260.7 million for sixty additional Minuteman missiles. Once again Senator Kennedy sought to delete the procurement funds, arguing that his amendment "simply seeks to prevent a bargaining chip, which already has cost the American taxpayer some $800 million, from passing the $1 billion mark."[68] Although his amendment lost thirty-five to forty-nine, the debate is instructive.

Having argued in 1975 that the fifty additional missiles were for testing, it was difficult for the administration to make a "testing argument" in 1976.[69] However, the "keep the production line open" argument was still employed, and the bargaining chip was still discernible. There was also a new twist. Whereas in 1975 there was little or no mention of *deploying* the additional missiles, this *was* discussed in 1976. Robert F. Ellsworth, deputy secretary of defense, stressed that Defense was "asking for authority to protect the option of producing 60 additional MMIIIs which could be used, depending upon the outcome of SALT negotiations, for *deployment*, testing, or upgrading of MMII." Ellsworth also stated that the United States "could achieve a Minuteman III force of 700 by mid-calendar year 1979."[70]

Thus, continued production of Minuteman III has been justified both as a psychological bargaining chip and as a contingency chip against failure in SALT II. Indeed, this is a contingency chip in the sense that the administration each year seems to want to produce more Minuteman missiles if the "pace" of SALT is too slow.

Mark 12-A

Mark 12-A is an improved warhead system for Minuteman III with potential use on the follow-on ICBM (MX) and Trident II as well. Whereas the current MMIII reentry vehicle has three warheads of about 170–200 kilotons and a circular error probable (CEP)[71] of 400–500 meters, the Mark 12-A will have three war-

[66] *Congressional Record*, June 5, 1975, pp. S 9857–9859. Also see Clarence A. Robinson, Jr., "Continued Minuteman 3 Output Asked," *Aviation Week and Space Technology*, April 28, 1975, p. 99.

[67] *Congressional Record*, June 5, 1976, pp. S 9861–9862.

[68] Ibid., May 26, 1976, p. S 8049.

[69] As Senator Kennedy said: "We already have purchased 187 missiles beyond the 550 needed to be deployed; 17 are used for spares. . . . Another 61 have been tested and 126 remain available for testing. At the testing rate, which last year was defined as seven a year, we actually could have 18 years of testing without buying a single new missile." *Congressional Record*, May 26, 1976, p. S 8050.

[70] Letter to Senator Stennis, ibid., pp. S 8056 and 8053. Italics added.

[71] CEP equals the radius of a circle within which a warhead has a 50 percent probability of landing.

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heads of about 400 kilotons and a CEP of about 250 meters. As Clarence Robinson has put it: "With guidance improvements to go along with other MK-12A improvements, the Minuteman will have been improved to its maximum growth potential."[72]

The April 1976 supplemental request for sixty additional Minuteman III missiles was accompanied by a request for $56.3 million to move up the date for procurement of the MK-12A warhead to be fitted on those missiles.[73] Senator Cranston (D-Calif.) expressed his judgment on these two programs as follows: "The production of Minuteman III's would be a waste—but the production of Mark 12-A's could be a threat—not only to the Soviet Union but, because of how their production is perceived, to our own national security as well."[74] Senator Cranston's reasoning was that with the higher yield of MK-12A and the improved accuracy of the Minuteman III (because of guidance improvements), the Soviets may perceive this new weapon as a threat to their land-based missile force. Indeed, John Finney described the MK-12A as a warhead " specifically designed as a 'counterforce' weapon for attacking military targets in the Soviet Union such as missile sites."[75]

To the extent that the United States (or the USSR) acquires true counterforce weapons, that would be destabilizing, for it would encourage the other side to adopt a "launch on warning" doctrine. That is, if one's land-based missiles cannot absorb a first strike, there is an incentive to empty the silos at the first, perhaps accidental or erroneous indication of an enemy attack. If *both* sides had such counterforce weapons, we would be at the maximum point of instability.

Perhaps the most significant question about MK-12A is whether it is in any sense a bargaining chip or whether it is an integral part of the counterforce program of the United States. Probably the most explicit administration statement suggesting a bargaining chip rationale is the Air Force justification for the April 1976, supplemental request for sixty Minuteman III's *and* accelerated pro-

[72] Clarence A. Robinson, Jr., "Minuteman Production Defended," *Aviation Week and Space Technology*, January 19, 1976, p. 14.

[73] Like so many weapons, deployment of this one was not envisaged in the recent past. Lt. General William J. Evans, an Air Force R&D official, stated on March 26, 1974; "this is an effort that we feel is necessary and it is part of the technology base and technology options that we think we should have on the shelf, depending on what the enemy does. *We are not proposing that we put this additional yield into our Minuteman III force* but we are saying that it is prudent to develop a Mark 12-A." Italics added. Senate, *Fiscal Year 1975, Part 6*, p. 2926.

[74] *Congressional Record*, May 26, 1976, p. S 8054.

[75] John W. Finney, "Arms Budget Rise Is Sought by Ford," *The New York Times*, April 27, 1976; also see George C. Wilson, "Ford Decision on Missiles Stirs Debate," *Washington Post*, May 6, 1976. Although the Pentagon denies that the MK-12A is a first-strike weapon, the Air Force concedes that the new warhead, coupled with the scheduled accuracy improvements, "will provide increased confidence in our ability to execute a limited hard target attack against selected hardened Soviet targets should the need arise." Senate, *Fiscal Year 1976 and July–September 1976, Part 4*, p. 2061.

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curement of MK-12A. After noting that the original FY1977 budget request did not contain these items because of the exercise of "deliberate restraint" by the United States, J. W. Plummer, undersecretary of the Air Force, stated:

> We hoped for commensurate restraint on the part of the Soviet Union, and we also hoped for consummation of a SALT II agreement in 1976. . . . Regrettably . . . we must . . . take positive action for two reasons—first, the Soviet Union is clearly proceeding to develop and deploy four advanced ICBMs and two new SLBMs; and second, because we have had more time to note the pace of SALT negotiations.[76]

Thus, by implication, the MK-12A and increased Minuteman III production are linked together both as psychological and contingency bargaining chips.

But they are qualitatively different. Procuring MK-12A is a major decision for a new weapon. The procurement decision was to be made in the fall of 1977. It is a weapon with impressive counterforce potential. Senator Cranston questioned the request for MK-12A, which appeared,

> to be a rather offhanded and hasty decision. . . . To produce the Mark-12A is a major change in our deployment position. This is the first production buy of a major counter-force weapon—one that could be used for a limited first strike against hardened targets in the Soviet Union. A major production decision on our first counter-force weapon should not be made under political pressure and should not be piggy-backed onto another weapons system buy.[77]

The Department of Defense answered this charge by suggesting that the MK-12 was no longer in production and that the MK-12A would, hence, be needed for the sixty new Minuteman III's. But Deputy Secretary Ellsworth added: "The MK-12A is also a potential warhead for the M-X and Trident II missiles."[78] Given the usual inclinations of the military, the long-range mission postulated for the MK-12A, and the fact that testing for the MK-12A and another MX warhead was accelerated to beat the March 1, 1976, date beyond which underground tests above a certain yield were banned,[79] it is difficult to resist the conclusion that the MK-12A, much more than the increased Minuteman III production, is likely to be a building block—a fixture in the American arsenal of the 1980s. By coupling a bargaining chip rationale for the sixty Minuteman III's *and* the MK-12A, the Pentagon seemed to make both dependent on the slow pace of SALT and the ongoing Soviet missile programs. The contingency chip rationale for MK-12A may be fragile indeed, as it is a counterforce warhead which complements the recent doctrinal pronouncements of the Pentagon.

[76] *Congressional Record*, May 26, 1976, p. S 8053.

[77] Ibid., p. S 8054.

[78] Ibid., p. S 8056.

[79] Henry Simmons, "Report on the National Scene: Strategic Arms—Worries and Cold Comfort," *Astronautics and Aeronautics*, April 1976, p. 8.

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MARV

The bargaining chip potentialities of our newest technological breakthrough have yet to be determined. This may be the case because the SALT negotiators have still to address themselves to the problem of qualitative improvements and guidance accuracies of strategic missiles. When and if they do, MARV may turn out to be the most difficult bargaining chip of them all.

The maneuverable reentry vehicle (MARV) is defined by a recent Library of Congress study as "a ballistic missile warhead or decoy whose accuracy is improved by terminal guidance mechanisms."[80] There are, however, two types of MARV's. One (e.g., Navy MK-500) is an evader MARV designed to overcome ballistic missile defenses. The other is a high-accuracy MARV with a counterforce mission.[81] The former follows an erratic pattern to confuse ballistic missile defense radars. The latter may have the capability to achieve an accuracy of a 100-*foot* CEP. As Senator Humphrey put it: "These re-entry vehicles could have a 99 percent or better probability of destroying ICBM's in hardened sites."[82]

As a result of this accuracy, MARV may be used by the military as justification for *mobile* land-based ICBM's. This is so because whatever uncertainty may exist about the capability of MK-12A and current MMIII's to destroy Soviet ICBM's, there is no such uncertainty about MARV. When projected for Soviet ICBM's, MARV will similarly threaten United States silos. Based on calculations of Congressman Robert L. Leggett (D-Calif.), both sides can have an anti-ICBM first strike with MARV's by around 1990 (the United States will actually acquire it, according to Leggett, in the mid-1980s).

According to Congressman Downey (D-N. Y.), the first flight tests of high-accuracy, terminally guided MARV's are to occur in 1978 or 1979.[83] But tests of evader MARVs are going forward, and these tests, according to Congressman Leggett, can be confused over time with those of the terminally guided, high-accuracy MARV. Leggett makes the crucial point—as valid for MARV as it was for MIRV:

> The Soviets know that the United States will not have a high accuracy MARV for perhaps 3 or 4 years, so it is important that this year or next year or perhaps both that *we not do any further testing of these vehicles lest we lose this as a*

[80] U. S. Senate, *United States/Soviet Military Balance*, p. 63.

[81] For a brief DOD statement on MARV, see U. S. House of Representatives, Committee on International Relations, *The Vladivostok Accord: Implications to U. S. Security, Arms Control, and World Peace: Hearings before the Subcommittee on International Security and Scientific Affairs*, 94th Cong., 1st sess., 1975, p. 138 (hereafter cited as House, *Vladivostok Accord*).

[82] *Congressional Record*, June 6, 1975, p. S 9934. See also Congressman Downey's (D-N. Y.) statement that with MARV providing an accuracy of some 0.02 mile "even a tiny 40 kiloton . . . weapon has a kill probability of well over 99%. Moreover, MARV can achieve this level of accuracy in a submarine-launched missile as well as an ICBM." House, *Vladivostok Accord*, p. 33. MARV, additionally, may be "[retrofitted] into both ICBM's and SLBM's." Carter, "Nuclear Strategy and Nuclear Weapons," p. 25.

[83] House, *Vladivostok Accord*, p. 34.

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bargaining chip in SALT, and you can lose it as a bargaining chip in SALT because unlike ABMs it is not verifiable.[84]

This, then, is a special kind of bargaining chip. If it frightens the Soviets—if they want to control it—it remains useful as a bargaining lever only *until it is tested,* for beyond that point verification by unilateral means becomes virtually impossible. To the extent that MARV is a bargaining chip, it is presumably a psychological one. There is no evidence that the United States has made it a contingency chip for SALT II. Conceivably, it could be a contingency chip which demonstrates United States' capacity to move forward with dramatic qualitative improvements. But Leggett's caveat must be repeated: once MARV is tested, there is little chance it can function as any kind of bargaining chip.

As Herbert Scoville put it in 1975: "MIRVs are a clear-cut case of where weapons, which were bought as bargaining chips, have decreased our security and skyrocketed our defense costs. Secretary Kissinger admitted that he wishes he 'had thought through the implications of the MIRVed world more fully in 1969 and 1970.' "[85] It is time *now* to think through the consequences of the *MARVed* world. It is not clear that the administration is doing this. In his FY1977 statements, Dr. Currie noted that an advanced evader MARV would be tested before 1980 and that examination was continuing of "the technology of terminal fixing and we expect to fly in the intermediate future a terminally guided re-entry vehicle."[86] To the extent that MARV can serve as a bargaining chip, it must be used now, before further flight testing even of the evader MARV. For, like MIRV, once tested, MARV will not—cannot—be bargained away.

Conclusion

How important was our bargaining chip strategy in bringing about the SALT I agreement? A review of this strategy suggests that it served to complicate negotiations by raising arms competition to higher levels, often levels more difficult to control. Critics argue that our insistence upon going forward with Safeguard resulted only in a treaty which authorized a larger ABM system for the Soviet Union than they had before the negotiations started; and that use of MIRV as a bargaining chip resulted only in its not being covered by SALT I due to Soviet fears of technological inferiority and a desire to develop their own

[84] Ibid., p. 18. Italics added. Congressman Downey agrees: "A MARV ban would be effective, and it is feasible as long as we get it signed before the first terminal MARV test." Ibid., p. 34. For a pro-MARV view, see the testimony of John M. Deutch, ibid., especially pp. 103–104.

[85] Ibid., p. 68.

[86] Senate, *Fiscal Year 1977, Part 4*, p. 2104. For diverging views on the impact of improved accuracy on the strategic balance, see the testimony of Congressman Leggett, House, *Vladivostok Accord*, pp. 8–20; Kosta Tsipis, "The Accuracy of Strategic Missiles," *Scientific American*, 233 (July 1975), 14–23; and Thomas A. Brown, "Missile Accuracy and Strategic Lethality," *Survival*, XVIII (March–April 1976), 52–59. The latter is a critique of Leggett and Tsipis.

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MIRV. Critics are convinced that weapons initially justified as bargaining chips soon become building blocks—weapons systems which become permanent parts of the arsenal. As Senator Kennedy (D-Mass.) has put it, "a bargaining chip is good so long as it is not played. Once played, its only effect is to raise the stakes."[87]

The bargaining chip approach may, according to another critical perspective, heighten the sensitivities of the superpowers to incremental advantages in arms competition obliging them to match each step with corresponding measures. In that sense the bargaining chip strategy may undermine the essential parity which is the basis for mutual concessions and fruitful negotiations. Students of Soviet behavior such as Marshall Shulman argued in 1972 that "if now we continue to follow the logic of the bargaining chip tactic and [try] to widen our technological advantage, we shall in fact be undermining the basis of present and future SALT agreements."[88] In a similar fashion Samuel B. Payne has concluded in his study of Soviet attitudes toward SALT that the Russians will not negotiate from a perceived position of inferiority.[89]

Others argue that the bargaining chip can be used for domestic political purposes to salvage a weapons program in trouble with Congress. Such use may leave a legacy of superfluous and often expensive arms programs which frequently develop their own constituencies and become, therefore, difficult to remove. The critics then see the bargaining chip ironically turning arms talks against themselves and making them a stimulant to the arms race.

The argument also is made that the bargaining chip is only a theoretical construct, incapable of practical application. There are few historical precedents, particularly in the cold war, of political decision makers testing and developing

[87] Senate, *SALT Agreements*, p. 252.

[88] Ibid., p. 140.

[89] Samuel B. Payne, Jr., "The Soviet Debate on Strategic Arms Limitations: 1969–72," *Soviet Studies*, XXVIII (January 1975), 27–45. Soviet behavior prior to entering the SALT talks may be instructive in this regard. Between the original date for the beginning of SALT (fall 1968) and its actual beginning in November 1969, the Soviets acquired 375 more ICBM's and SLBM's, at which point they stopped construction, having exceeded the 1054 ICBM's the United States had maintained since 1967. It is possible that knowing they were catching up with the American lead in ICBM's, the Soviets could approach the talks with more confidence. Bargaining chip policies may produce a similar set of policies in the Soviet Union. Former SALT negotiator Raymond L. Garthoff has suggested that the Soviet Union is currently matching some of our more recent bargaining chips. Garthoff observes: "There is strong basis to conclude that the Soviet military leadership sees their current programs to build up the SLBM force, and above all, to replace part of SS-11 and SS-9 with MIRVed SS-19's and SS-18's (and perhaps to produce a strategic bomber as well) as necessary and prudent actions in order to preserve parity by matching the already programmed building of U. S. Minuteman III, Poseidon, Trident and B-1 strategic forces." In "SALT and the Soviet Military," *Problems of Communism*, XXIV (January–February 1975), 30–32. For trends in the Soviet and American arsenals see International Institute for Strategic Studies, *The Military Balance, 1975–76* (London, 1975), p. 73.

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successfully new weapons systems only to see them removed in an arms control agreement. Jack Ruina sees an inevitable political contradiction in the concept: "It is hard to think of an arms program that simultaneously is good enough to worry an opponent and bad enough for the military to be willing to give it up in negotiations."[90]

Bargaining chip rationales appear to vary for each weapons system according to circumstances, as one type of chip often dissolves into another. With MIRV, for instance, what originated in part as a domestic chip evolved into a psychological chip, was briefly presented as a specific chip, and eventually became a building block.

The inconsistent and at times elusive use of the concept by government officials forces the conclusion that no carefully developed set of bargaining chip policies as yet exists. If such policies do exist, many important participants in the policy-making process lack an understanding of what they are. The civilian leadership, as the conflicting testimony makes apparent, has not communicated to the military any sense of what is meant by a bargaining chip. To develop a weapon without seeing a place for it in the arsenal is a concept that the military, as in the case of MIRV and the cruise missile, finds difficult to comprehend. Possibly bargaining chips can serve a useful function so long as they remain only as *potential* threats. Leslie Gelb and Anthony Lake argued this position after the signing of SALT I: "Of course the President needs bargaining chips. But new weapons systems do not actually have to be deployed in order to give him bargaining power. This power derives from the American potential to deploy, not actual deployment."[91] In other words, a bargaining chip can exist in the form of research and development, avoiding the costs of deployment and reducing its chances of becoming a building block. "The threat of deployment," Paul Warnke has argued, "might energize diplomacy but the fact of deployment would defeat it."[92] This approach attempts to fit Jack Ruina's description of a "good" bargaining chip, i.e., one that could be "particularly irritating or threatening to the other side without being so attractive to [ourselves] that it could not be curtailed."[93]

Senator Brooke (R.-Mass.), for one, does not find this argument persuasive. In arguing for an amendment to prohibit counterforce research and development, Brooke told the Senate that research and development programs were "notoriously bad bargaining incentives because they are ambiguous signals of U. S.

[90] Jack Ruina, "SALT in a MAD World," *The New York Times Magazine*, June 30, 1974, p. 48.

[91] Quoted in *Congressional Record*, July 27, 1972, p. 25701.

[92] Quoted in Frye, *A Responsible Congress*, p. 36.

[93] J. P. Ruina, "U. S. and Soviet Strategic Arsenals," in Mason Willrich and John B. Rhinelander (eds.), *SALT: The Moscow Agreements and Beyond* (New York, 1974), p. 42. A similar view was taken by fourteen Republican congressmen who stated in 1973 that "maintaining a strong R&D program would not only act as an effective bargaining ploy, but could also result in material savings in defense expenditures," *Congressional Record*, March 19, 1973, p. S 5104.

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intent," and could cause "an already suspicious and hostile adversary to redouble their efforts."[94]

This confusion may be symptomatic of a larger confusion over strategic doctrine. What may be a bargaining chip for some may be an effective new counterforce weapon for others. MARV may be illustrative of just this type of paradox. Adherents to the assured destruction doctrine may find it quite dangerous to use a potentially counterforce weapon such as MARV as a bargaining chip.

If a commitment to assured destruction were to be made, then, conceivably, a bargaining chip policy could be fashioned. Such a policy might involve acts of deliberate restraint on weapons research, development, testing, or acquisition—transforming the bargaining chip into a peace initiative.[95] Weapons that complicate verification (cruise) or are destabilizing (MARV) would be withheld from the testing phase, signaling our interest in a stable deterrence pending agreement to control such weapons.

One current suggestion for controlling MARV may be illustrative of how bargaining chip policies could be transformed. Senator Hubert Humphrey (D-Minn.) in 1975 introduced an amendment which would have banned MARV testing unless the president certified its necessity under certain conditions. The Humphrey amendment would have allowed R&D on MARV while prohibiting testing. Senator Frank Moss (D-Utah) interpreted it as "a signal to [the Soviets] that we have no desire to escalate the arms race."[96]

Bargaining chips that enhance trust, signal a desire not to let technology get out of hand, and are kept clear of projected force postures, may, in the final analysis, be the only ones we should play.*

[94] *Congressional Record*, June 10, 1974, p. 10202.

[95] For several works that discuss reversing the arms race by exercising restraint, see; David V. Edwards, *Creating a New World Politics: From Conflict to Cooperation* (New York, 1973), especially pp. 123–126; Amitai Etzioni, "The Kennedy Experiment," in his *Studies in Social Change* (New York, 1966), chap. 4; and Charles E. Osgood, *An Alternative to War or Surrender* (Urbana, Ill., 1962).

[96] *Congressional Record*, June 6, 1975, pp. S 9933–9936.

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Pretrial Publicity and Due Process in Criminal Proceedings

CAREN DUBNOFF

Much of the controversy surrounding the Warren Court centered on its willingness to "federalize" rules of criminal procedure. Before 1961, states were for the most part left free to operate their criminal justice systems according to locally established procedures. The Fourteenth Amendment's due process clause was used to reverse convictions in which state proceedings had been clearly unfair[1] but only in rare instances were rules of general applicability established.[2]There were, however, justices on the Court—Justice Black being the most prominent among these—who urged a different, more active course. In particular these justices argued that the Bill of Rights delineated requirements of fundamental fairness and that the Fourteenth Amendment intended to make these applicable against state action. Then almost abruptly in 1961[3] the Supreme Court abandoned its reticence and in a series of cases lasting until 1968 found virtually all of the procedural guarantees of the Bill of Rights to be required by the Fourteenth Amendment's due process clause.[4]

[1] For example, the conviction in *Rochin* v. *California*, 342 U.S. 165 (1952) was overturned not because Rochin's Fourth Amendment rights had been violated, although there were certainly aspects of that, but because the conduct of the law enforcement officers shocked the conscience.

[2] The right to counsel in capital cases was deemed essential in 1932. *Powell* v. *Alabama*, 287 U.S. 45 (1932). The right to a public trial was incorporated in 1948. In re *Oliver*, 33 U.S. 257 (1948).

[3] The process basically began in 1961 with *Mapp* v. *Ohio*, 367 U.S. 643 (1961).

[4] *Duncan* v. *Louisiana*, 391 U.S. 145 (1968). Justice White summarized the evolution of incorporation as follows:

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But seven years may have been too brief a period to establish firm principle. Justice Stewart, a consistent opponent of the extension of rules of criminal procedure to the states was soon joined by four Nixon appointees, similarly unsympathetic to Supreme Court supervision of state criminal law. While a massive retreat from the Warren Court decisions has not yet occurred, there is certainly evidence of reconsideration. Dissenting in *Bivens* v. *Six Unknown Agents of Federal Bureau of Narcotics*, Chief Justice Burger called for an end to the exclusionary rule concerning evidence improperly obtained.[5] In *Harris* v. *New York*[6] the Court decided that a statement taken without compliance with the required Miranda warnings could nevertheless be used to impeach the defendant's testimony. Although the right to trial by jury was extended to all cases in which a serious penalty could result from the trial,[7] the Court made clear that federal standards for the operation of jury trial were not applicable.[8]

This article seeks to approach the broad question of whether the rights of the criminally accused will be adequately protected if the Supreme Court leaves the administration of justice to the states. For this investigation, the specific issue of prejudicial pretrial publicity was selected because the Supreme Court has heretofore refused to develop specific guidelines for state courts to judge when publicity is prejudicial and when prejudicial publicity requires a judicial remedy. This issue, then, provides a test of state performance in the absence of national rules of procedure. Based upon evidence to be presented here, it appears that defendants' rights to an impartial trial have not been adequately protected by most state courts and that federal standards are needed to preserve due process.

The Supreme Court and Pretrial Publicity

The Supreme Court can require states to adopt uniform national standards for criminal procedure only if it finds such standards to be constitutionally required. To be sure, the Constitution does not deal with pretrial publicity in specific terms. But absence of specific constitutional wording has not in the past meant the Court's only option has been to employ the vague standard of "fundamental

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That clause now protects the right to compensation for property taken by the State (*Chicago, B. & O.R. Co.* v. *Chicago*, 166 U.S. 226), the rights of speech, press and religion covered by the First Amendment (*Fiske* v. *Kansas*, 274 U.S. 380–1927), the Fourth Amendment rights to be free from unreasonable searches and seizures and to have excluded from criminal trials any evidence illegally seized (*Mapp* v. *Ohio*, 367 U.S. 643), the right guaranteed by the Fifth Amendment to be free of compelled self-incrimination (*Malloy* v. *Hogan*) and the Sixth Amendment rights to counsel (*Gideon* v. *Wainwright*, 372 U.S. 335) to a speedy trial (*Klopfer* v. *North Carolina*, 386 U.S. 213).

[5] 403 U.S. 388 (1971).

[6] 401 U.S. 222 (1971).

[7] *Baldwin* v. *New York*, 399 U.S. 66 (1970).

[8] Neither the twelve-man jury, *Williams* v. *Florida*, 399 U.S. 78 (1970), nor the need for a unanimous verdict, *Apodaca* v. *Oregon*, 406 U.S. 404 (1972) were found to be constitutionally compelled for the states.

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fairness." The Court has not been reluctant to specify that the Fifth Amendment's guarantee "that no man shall be compelled to be a witness against himself" required also that a confession obtained where the accused had not been informed of his right to remain silent could not be used in evidence against him. Nor was it unwilling to determine that the Weeks Rule was constitutionally required and therefore applicable to the states.[9] The Court has always had to give substance to the broad generalities of the Amendments.

The Supreme Court long recognized that publicity may threaten the impartiality of a trial and that the Constitution requires some protection for the accused against such coverage.[10] In 1907, Justice Holmes wrote, "The theory of our system is that the conclusions to be reached in a case will be induced only by evidence and argument in open court, and not by any outside influence, whether of private talk or public print."[11]

But recognition did not produce a remedy or even move the Court far in that direction. During the next half century, a series of Court decisions continued to describe the problem without suggesting a solution.

There are in fact two possible strategies: to limit prejudicial material, or to limit the effects of the prejudicial material. If the publication of some items were determined to be necessarily prejudicial then an argument could be made that publication could be prohibited since it constituted a grave danger to the impartiality of the trial. Limiting publication, however, conflicts directly with First Amendment freedoms granted to the press, and although the Court has in the past been willing to apply the "clear and present danger" test, it has yet to find circumstances sufficiently compelling to uphold a contempt conviction.[12] The constitutional barrier against prior restraint of the press was reaffirmed by the Supreme Court in 1976 although it was noted that under certain circumstances this barrier might not be absolute.[13]

[9] The Weeks Rule provided that evidence illegally seized was inadmissible in court during federal trials.

[10] H. Kalven and H. Zeisel, *The American Jury* (Boston, 1966), p. 390, provides support for the view that knowledge of a defendant's prior record increases a jury's negative perception of him.

[11] *Patterson* v. *Colorado*, 205 U.S. 454, 462 (1907).

[12] In *Bridges* v. *California*, 314 U.S. 252 (1941), the first of a series of cases dealing with this question, the Court applied the "clear and present" danger test of *Schenck* v. *United States*, 249 U.S. 47 (1919) to reverse the contempt convictions of a newspaper publisher and editor for publication of statements urging that union members convicted of assault be dealt with harshly. Although the implication of the test is that some publications might well constitute a sufficient danger, the Court has reversed convictions of the *Miami Herald* for editorials criticizing the Court's actions in dismissing several criminal cases; see *Pennekamp* v. *Florida*, 328 U.S. 331 (1946). Similarly a contempt citation against the publisher and staff members of a Corpus Christi newspaper that had criticized a judge was reversed, *Craig* v. *Harney*, 331 U.S. 367 (1947), as was a contempt conviction against a sheriff who had issued statements to the press for the alleged purpose of influencing grand jurors during their investigation of a political campaign, in *Wood* v. *Georgia*, 370 U.S. 375 (1962).

[13] *Nebraska Press Association* v. *Stuart*, 44 U.S. Law Week 5149.

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The second approach is to accept the right of the press to publish as it chooses, but then attempt to protect the rights of the accused at the trial by such means as change of venue, continuance (i.e., postponement), or waiver of jury.[14] This issue has engaged the Supreme Court a number of times, but where abuses were flagrant, the Court went only so far as to reverse the instant case. It elected to avoid specifying general conditions which would require a remedy, even when the opportunity to do so was apparently present.

The place to begin is *Sheppard* v. *Florida* (1951).[15] In this case, the Supreme Court reversed the rape conviction of petitioners, two black men accused of raping a white girl, on the grounds that they had been denied a fair trial. Among the circumstances contributing to this conclusion was an article published by the local press stating that according to the sheriff the defendants had confessed to the rape. However, no confession was ever produced in court. "The only rational explanation for its nonproduction," according to Justice Jackson, in his concurring opinion, "was that the story was false, or that the confession was coerced, or nonproduction was expedient. It is hard to imagine a more prejudicial influence than a press release by an officer of the court charged with the defendants' custody stating that they had confessed, and here just such a statement, unsworn to, unseen, uncross-examined, and uncontradicted was conveyed by the press to the jury." In addition to the press accounts, the community exhibited feelings of hostility toward the defendants. Black men accused of raping a white girl in the South at this time faced immediate difficulties in obtaining a fair trial. But such inherent difficulties were compounded by the actions of the local press and law enforcement officers. The Court refused to specify its reasoning. Again Justice Jackson stated, after a full description of the town's atmosphere, officials' actions, and press reports that "these convictions, accompanied by such events, do not meet any civilized conception of due process of law." Whether the printing of the confession alone was sufficient to prejudice the trial, whether the printing of the confession supported by the sheriff's statements were sufficient, or whether these two circumstances needed to be joined with a feeling of prejudice in the community was unclear.

While there was nothing new in applying standards of decency to determine whether due process had been denied, this was the first time the Supreme Court reversed a conviction without requiring a demonstration of actual prejudice on the part of the jury. During the next decade the Court seemed to retreat from the position that certain circumstances were inherently prejudicial.

The next case the Court accepted alleging that a trial had been prejudiced by publicity was *Stroble* v. *California* (1952),[16] a child-murder case. Stroble had initially confessed his guilt to local authorities. Details of this confession were

[14] None of these remedies is without problems. Two less drastic remedies, question of jurors and admonitions to disregard publicity, generally are conceded to be of limited utility.

[15] 341 U.S. 50 (1951).

[16] 343 U.S. 181.

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released to the press, resulting in widespread publicity including references to Stroble as a child molester and a "werewolf." Stroble subsequently pleaded innocent and was convicted. According to Justice Clark, Stroble failed to prove that "these accounts aroused such prejudice in the community that petitioner's trial was 'fatally infected' with an absence of 'that fundamental fairness essential to the concept of justice.' " Clark reasoned that a claim, unsubstantiated, was nothing more than that. Petitioner had not requested a change of venue, he filed no affidavits to prove any juror was in fact prejudiced, and "questioning of jurors did not indicate that any had ever seen or read those papers." Thus, in contrast to *Sheppard,* which carried a presumption of prejudice, in this case actual proof of prejudice was needed. Possibly the feature that differentiated the two cases was that Stroble's confession was accepted as evidence in court.

The next important case was *U.S. ex rel Darcy* v. *Handy, Warden et al* (1956).[17] The alleged prejudice arose from the news reports of statements by a judge and the actions of that judge. The defendant had been sentenced to death after conviction for first degree murder during a robbery. In Pennsylvania, penalties were fixed by the jury. The question at issue was whether the jury had been prejudiced in its determination of the penalty. Darcy's participation in the robbery was not in question. The strategy of the defense was to obtain a penalty of life imprisonment, it being alleged that the killing had been committed by Darcy's accomplices, who were being tried separately. Immediately before Darcy's trial commenced, the jury in the trial of his accomplices returned a verdict of guilty and fixed a penalty of death. On the following day Judge Boyer, who presided at the first trial, was quoted in the local newspaper as having said, "I don't see how you could have reached any other verdict. Your verdict may have a very wholesome effect on other men . . . the only hope of stemming the tide of such crime by youth is to enforce the law which you have conducted by your decision."[18]

Darcy's subsequent conviction and death sentence ultimately reached the Supreme Court. Justice Burton, writing for the majority, did not judge the circumstances to be so prejudicial as to constitute a denial of due process. The trial was saved by the failure of the defense to prove actual prejudice. It was noted that Darcy's attorney did not use all his peremptory challenges; he did not make a motion for a continuance, and he did not question the jury on Judge Boyer's comments.

Justices Harlan, Frankfurter, and Douglas were not persuaded. As Justice Harlan wrote, "I cannot say that the support lent to the prosecution by Judge Boyer's manifest interest in the trial might not have tipped the scales with the jury, in favor of a death verdict."

Stroble and *Handy* taken together seem to suggest that to prevail in a claim of prejudicial publicity, the defendant must prove that jurors were aware of and infected by that publicity. The Court would view the defendant's use of peremp-

[17] 351 U.S. 454.
[18] 351 U.S. 454, 468.

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tory challenges, questioning on *voir dire*, (questioning the jury to determine if any are partial), and motions for judicial remedy.

Then in 1959 the Court seemed on the verge of developing a rule of general applicability. The case was *Marshall* v. *U.S.* (1959),[19] a federal case. Marshall appealed his conviction for unlawfully dispensing amphetamine drugs. During the trial, the defendant had used entrapment as a defense. The government sought to counter that claim by proving that the defendant had previously practiced medicine without a license. The judge refused to allow this evidence, ruling that such an argument "would tend to raise a collateral issue and I think would be prejudicial to the defendant." During the trial two newspapers reported these events. Three jurors read the first article, one read both and three others scanned the first and one of these had also scanned the second. As in *Sheppard* v. *Florida* (1951),[20] prejudice had to be presumed once knowledge of the material was established, even though the jurors had pledged that they would not be influenced by the articles. "If evidence which the trial judge ruled so prejudicial it could not be admitted—reaches the jury through news accounts, prejudice is surely as great and possibly greater when it is not tempered by protective procedures." No collateral circumstances were necessary to establish prejudice; evidence inadmissible at trial was prejudicial if it reached the jury. But Justice Clark carefully limited the holding of the case to the federal courts. "It is the exercise of our supervisory power to formulate and apply proper standards for enforcement of the criminal law in the federal courts."

Had the Court followed its actions in other areas (right to counsel, ruling that evidence illegally seized is inadmissible) one might have expected that this standard would eventually be extended to the states. Indeed, a series of decisions in the early 1960s reversing state convictions seemed to suggest that the Court's increasing concern for the problem would lead to the establishment of some guidelines for state courts.

In 1961, the Supreme Court decided the case of *Irvin* v. *Doud* (1960).[21] Leslie Irvin was arrested in Indiana on suspicion of having commited six murders near Evansville. From the time of his arrest through his trial, the newspapers were permeated with items prejudicial to Irvin. The prosecutor announced to the press that Irvin had confessed. Among the items appearing in the local press were headlines such as "Irvin Placed at Murder Scene: Reported Seeking to Make Deal," "Car Seen Turning into Duncan Lane," "Six Murders Solved! Report Details of How Killings Were Executed."[22] Despite these alleged confessions, Irvin pleaded not guilty. There were also reports of prior convictions going back twenty years, confessions to other crimes, reports of an attempt to plead guilty. Many of these stories were never fully substantiated in fact. Ninety percent of the prospective jurors admitted holding an opinion concerning Irvin's guilt;

[19] 360 U.S. 310.
[20] 341 U.S. 50.
[21] 366 U.S. 717.
[22] Howard Felsher and Michael Rosen, *The Press in the Jury Box* (New York, 1966), p. 141.

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268 out of 430 were excused by the court for prejudice; Irvin had used up all his peremptory challenges. The publicity was thus pervasive and prejudicial and Irvin had done everything allowed him to establish his belief that the jury was not impartial. This alone might have required reversal but there was more. Of the twelve jurors who were seated, eight admitted prior to the trial to believing that Irvin was guilty. The Indiana courts accepted their statements that they could nonetheless be impartial. Given the totality of these circumstances, it is hardly surprising that the Supreme Court reversed. The problem with *Irvin* v. *Doud* is that it provided precedent only for such a flagrant case. Again the Court refused to specify which if any of the specific elements required reversal. We can only say that in light of the circumstances, here the finding of impartiality does not meet constitutional standards.[23]

Irvin was followed by *Rideau* v. *Louisiana* (1963).[24] The Court again stuck to its test of fundamental fairness, but here not all justices were equally appalled by Rideau's situation. Rideau was arrested shortly after allegedly robbing a bank, kidnapping three of the hostages, and killing one of them. He was placed in the local jail where the next morning a film and sound track was made of an "interview" at the jail between petitioner and the sheriff during which he confessed to the robbery, kidnapping, and murder. This interview was broadcast later the same day and on two subsequent days over local TV. These broadcasts were sufficient, according to Justice Stewart, writing for the majority, to require a change of venue. He reasoned that for those who saw the confession on TV, Rideau had been proven guilty. "Any subsequent proceedings in a community so obviously exposed to such a spectacle could be but a hollow formality." However, Justices Clark and Harlan, viewing these same circumstances, did not conclude that the circumstances were so overwhelmingly prejudicial as to require a reversal. Only three jurors held an opinion as to petitioner's guilt. The televised interview appeared two months prior to the trial. Interestingly Clark did note that were this a federal proceeding, he would reverse on the basis of *Marshall*. Rideau reverted to the *Sheppard* position that some circumstances could be so prejudicial that an actual demonstration of prejudice was not required. In fact, the Court rejected a review of the *voir dire*.

Two years later the Court again affirmed the view that in certain circumstances no showing of actual prejudice was required. "It's true that in most cases involving claims of due process deprivation we require a showing of identifiable prejudice to the accused. Nevertheless at times a procedure employed by the state involves such a probability that prejudice will result that it is deemed inherently lacking in due process."[25]

We now come to the case of *Sheppard* v. *Maxwell* (1966),[26] in which the circumstances were every bit as appalling as in *Irvin*. Every element of prejudice

[23] 366 U.S. 717, 728.
[24] 375 U.S. 723.
[25] *Estes* v. *Texas*, 381 U.S. 532 (1965).
[26] 384 U.S. 333.

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appearing in the previous cases was repeated in *Sheppard*. Dr. Samuel Sheppard was accused of bludgeoning to death his pregnant wife, Marilyn. News articles were pervasive and prejudicial, commencing prior to indictment and continuing through the trial. Among the items were news articles describing evidence never presented in court, references to Sheppard's sexual behavior, police statements attributing guilt, and references to Sheppard's refusal to take a lie detector test. But again the Supreme Court did no more than reverse the instant case on the basis of the totality of circumstances which were not confined to pretrial publicity. In fact, Justice Clark explicitly refused to rest the decision on pretrial publicity. "While we cannot say that Sheppard was denied due process by the judge's refusal to take precautions against the influence of pretrial publicity alone, the Court's later ruling must be considered against the setting in which the trial was held."[27] It did however reaffirm its position that certain conditions required a presumption of prejudice. After reviewing the Court's decisions in *Rideau* and *Estes*, Justice Clark wrote, "It is clear that the totality of circumstances in this case also warrants such an approach."[28]

Judging from the quantity of discussion following this series of cases, legal scholars considered the question of prejudicial publicity one of the greatest importance. The Supreme Court meantime seemed to have forgotten the issue. Not until the 1975 term did it again entertain a claim of prejudicial publicity.

We turn now to this case, *Murphy* v. *Florida*.[29] Jack Murphy, otherwise known as "Murph the Surf," appealed a conviction of robbery on the grounds that prejudicial publicity made it impossible for him to receive a fair trial in Dade County. Murphy argued that *Sheppard, Estes, Rideau*, and *Irvin* had "applied to state cases the principle underlying the Marshall decision: that persons who have learned from news sources of a defendant's prior criminal record are presumed to be prejudiced." All the jurors who judged Murphy in this case were aware of his prior exploits.

Justice Marshall, writing for the majority, rejected that argument. *Sheppard, Irvin, Rideau*, and *Estes* stood only for the proposition that "a state court conviction obtained in a trial atmosphere that had been utterly corrupted by press coverage" violated "the constitutional standard of fairness." *Marshall* did not "have any application beyond the federal courts." The question was whether circumstances had been unfair. Nothing indicated a situation of inherent prejudice. News was extensive but had abated seven months prior to the trial. It was factual rather than inflammatory and much of it had been generated by the defendant himself.

Murphy's claim of prejudice failed because an examination of the *voir dire* indicated that recollections of past convictions were often only vague and "none betrayed any belief in the relevance of petitioner's past to the present case." The

[27] 384 U.S. 333, 354–355.
[28] 384 U.S. 333, 352.
[29] 95 S. Ct. 2031.

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jurors claimed that any knowledge of past convictions could be disregarded and their assurances of impartiality were sufficient. Justice Marshall concluded: "Petitioner has failed to show that the setting of the trial was inherently prejudicial or that the jury selection process of which he complains permits an inference of actual prejudice."

The following generalizations can be made from the cases presented. As a result of *Marshall, Rideau, Estes,* and *Sheppard,* the Court recognized that certain circumstances could be so prejudicial as to require a judicial remedy without a showing of actual prejudice. From then on lower courts should determine whether circumstances were inherently prejudicial or only potentially prejudicial, the former requiring nothing more for a judicial remedy, the latter requiring a showing of actual prejudice. In *Marshall,* the Court indicated that in certain situations, federal jurors' avowals of impartiality could not be accepted but it refused to say that state jurors would be equally prejudiced. State cases could be reversed only when the tenets of "fundamental fairness" had been violated. There was no attempt to develop a formula to apply in the future.

Two questions are immediately suggested. What sorts of publicity will be considered to be prejudicial? And when does prejudicial publicity preclude a fair trial?

Certain forms of publicity are clearly prejudicial: press reporting of items inadmissible in court,[30] comments by the trial judge on the guilt of the defendant,[31] presentation of material never offered in court,[32] publication of confessions, reference to prior convictions,[33] derogatory allusions to defendant's character,[34] references to a refusal to submit to a lie detector test,[35] imputations of guilt on the part of state officers.[36] Inflammatory articles are prejudicial, but when will news be considered inflammatory? Referring to a man's possible sexual liaisons is inflammatory,[37] referring to him as a werewolf apparently is not.[38]

The existence of prejudicial publicity does not in itself require judicial remedy. In determining whether the prejudicial material was sufficient to require reversal, the Court has considered a variety of factors. In cases where inherent prejudice was alleged, one factor considered was the extent of publicity. The community in *Sheppard* was "saturated"; in *Irvin* it was subject to a "barrage"; in *Rideau* tens of thousands of people viewed a confession on TV. But admitted widespread publicity did not require a reversal of *Stroble.* Furthermore there is

30 *Marshall* v. *U.S., Sheppard* v. *Florida.*
31 *U.S.* v. *Handy.*
32 *Sheppard* v. *Florida, Irvin* v. *Doud, Sheppard* v. *Maxwell.*
33 *Irvin* v. *Doud.*
34 *Sheppard* v. *Maxwell.*
35 Ibid.
36 *Sheppard* v. *Maxwell, Irvin* v. *Doud.*
37 *Sheppard* v. *Maxwell.*
38 *Stroble* v. *California.*

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no indication of when a community was considered "saturated." A second factor weighed in determining prejudice has been the truth of the reporting. Much of what was alleged in the press turned out to be false in both *Sheppard* and *Irvin* but truth does not necessarily save the trial. The truth of Rideau's confession was irrelevant, as also was the truth of the articles in the *Marshall* case. Of considerable importance to the Court has been the source of the publicity. If it emanated from the prosecutor or the judiciary or the police, it has been weighed heavily. Rideau's TV confessions were staged by the authorities. Justice Clark wrote in *Sheppard*, "The fact that much of the prejudicial news items can be traced to the prosecution as well as the defense aggravates the judge's failure to take any action."

Some commentators have seen *Sheppard* v. *Maxwell* as softening the standard of proof required to sustain a claim of prejudice, because of Justice Clark's assertion that relief should be granted if there is a "*reasonable likelihood* that prejudicial news prior to trial will prevent a fair trial" rather than the earlier view that the appellant needed to show "probable" prejudice. Since the Court did not issue any decisions on the question of prejudice resulting from publicity between *Sheppard* and *Murphy*, it is impossible to determine whether Clark intended to institute a less stringent test. As will be seen later, some lower courts so interpreted it. Nonetheless the Supreme Court has reversed state court convictions only where the lower court proceedings were in fact "outrageous" and the error of the trial judge could be seen as "manifest." In short, the Supreme Court suggested conditions of prejudice but it required no specific state response. Finally, *Murphy* v. *Florida* makes it plain that this Supreme Court has apparently no intention of extending federal requirements to the states for judicial remedy where publicity may create prejudice.

State Courts and Pretrial Publicity

Sheppard v. *Maxwell* did not generate widespread dissent. Within the legal profession there was considerable agreement that publicity could threaten a trial's impartiality and that the accused had to be insulated from such publicity. At issue was how this might be accomplished in light of the potential conflict between a free press and the right to a fair trial.

Given the lack of specific Supreme Court guidelines, an important question is how state courts have in fact performed. If the view of federalism expounded by Justices Frankfurter and Harlan was accurate, one would have expected most state court decisions to be "fundamentally fair," and yet, in their variety, to explore and develop the best standards for obtaining judicial remedy. This is not what happened.

For the purposes of this study, all state appellate court decisions from June 1967 to June 1975 have been examined in which pretrial prejudicial publicity

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was a substantial issue.[39] In brief summary, at a time when legal scholars were debating how best to prevent prejudicial publicity from damaging the impartiality of trials, state court judges, with some exception, were developing rules to limit judicial relief.

The gross statistics are in themselves revealing. There were 133 cases throughout the United States which reached state appellate courts based at least in part on a claim of prejudicial publicity. Of these cases, there were sixteen reversals, seven of which occurred in California. Viewed differently, in only nine states—New Mexico, California, Florida, West Virginia, Washington, Ohio, Pennsylvania, Iowa, Illinois—did defendants obtain judicial relief.

Moreover, in those instances in which relief was granted, the circumstances of the publicity were often quite similar to those cases in which relief was denied. There is little evidence that such differences could be attributed to differing local conditions, as is often argued by proponents of federalism. The following state court cases are illustrations:

The Florida Supreme Court ruled that a change of venue was warranted in *Oliver* v. *State*,[40] where the "June 27, 1968 edition of the 'Tallahassee Democrat,' the sole daily newspaper published in the general Tallahassee area, featured a transcript of an alleged confession made by Oliver."[41]

It further established as a general principle that "when a 'confession' is featured in news media coverage of a prosecution, as here, a change of venue should be granted whenever requested; we also hold that in the case sub judice the voir dire process cannot cure the effect of a 'confession' which has been given news media coverage."[42]

Quite the opposite result occurred in Wisconsin. In *State* v. *Hebard*,[43] a new trial was not required because the news did not originate with the prosecutor. Why a confession is not damaging when it is not released by a prosecutor is unclear.

Reference to the accused's prior record may be seen as tainting the trial. In *Forsythe* v. *State*,[44] the Ohio Appellate Court granted the defendant a new trial on the grounds that publicity, though factual, was so prejudicial and pervasive as to make proof of actual prejudice unnecessary. The publicity consisted of constant references to the defendant's prior record, connections with the under-

[39] All cases which reached the highest state appellate court were reviewed. They were not included in the tabulation of cases if the publicity complained of was limited to one article noting only those facts (such as the date and nature of the crime, the name of the accused) that have never been construed by courts as prejudicial. Cases involving publicity that occurred during the trial were also omitted. Pretrial publicity presents a more complex problem than does publicity during trial. Given this variance, it seemed wise not to blend the two.

[40] 250 So. 2d [Southern Reporter, Second Series] 888 (1971).

[41] *Oliver* v. *State*, 250, So. 2d 888, 889 (1971).

[42] Ibid., 890.

[43] *184* N.W. 2d [*Northwestern Reporter, Second Series*] *156 (1971)*.

[44] 230 N.E. 2d [Northeastern Reporter, Second Series] 681 (1967).

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world, allegations that witnesses expressed fear of testifying, and excerpts from actual testimony. The court reasoned that exposure to this publicity would incline the jury to convict the defendant of something "merely on general grounds."

Publication of similar material elsewhere may bring disapproval by the court but not reversal. The Illinois Supreme Court ruled in *People* v. *Berry*[45] that the trial court had not erred when it refused to grant a change of venue. The news complained of were references to the defendant as a former convict, "a notorious holdup man, a habitual criminal and a menace to society." Furthermore, it was also noted that the defendant was "out on bail pending his appeal on a previous robbery conviction, and that a search was made of his co-defendant's apartment in an effort to recover guns taken in a recent burglary in which police believed the defendant might have participated; reference was made to . . . a second co-defendant's implication of his two co-defendant's . . . and details of the burglary."

Another set of conflicting cases are *State* v. *Wilson* (West Virginia) and *State* v. *Polson* (Idaho).[46] In the former case the defendant was charged with selling heroin. He asked for a change of venue on the grounds that there was significant publicity which imputed his guilt, that some of the items reported were false, and that much of the news originated with the prosecuting attorney. The appellate court agreed. In Idaho, similar publicity did not establish a valid claim. Although the court stated "references were made to defendant's prior convictions, and certain of the articles contained factual error," such was insufficient to require a change of venue. Apparently the trial judge's admonition to jurors that "any decision they may make in the case must be based upon the evidence that comes from the witness stand" sufficed.

Most courts regard the filming and broadcasting of the investigation, or a restaging of the crime, as inappropriate but whether such practices will result in reversible error depends on the test applied. In *Commonwealth* v. *Pierce* (Pennsylvania),[47] the court found reversible error partly because there had been a staged reenactment of the crime "which is a confession in itself." Reenactments generally occur because the police or prosecutor have staged them, suggesting a suspect source.

Consider, however, the case of *State* v. *Coty* (Maine).[48] Among the publicity claimed to be prejudicial was a "documentary film" produced by a local TV station in cooperation with the law enforcement officers. The film, running between ten to twenty minutes, recreated the investigation of the crime. The viewer was taken to the house where the crime had been committed and the bodies of

[45] 226 N.E. 2d 591 (1967).

[46] *State* v. *Wilson*, 202 S.E. 2d [Southeastern Reporter, Second Series] 828 (1974); *State* v. *Polson*, 448 P. 2d [Pacific Reporter, Second Series] 229 (1969).

[47] 303 A. 2d [Atlantic Reporter, Second Series] 209 (1973).

[48] 33 A.L.R. 3rd [American Law Reports, Third Series] 1 (1967).

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the victims were on display. "He was taken on a tour of the ransacked and disordered rooms. He examined the murder weapons and observed the making of chemical tests upon the clothing of the suspects. The suspects' car was examined and they were filmed entering the police station and later being removed to the district court. Along with the film ran a narrative which assumed defendant's guilt. Statements were made such as "the two responsible for the vicious crime have been identified by the Penobscot County Attorney's Office as (naming Coty and the respondents)." What could be taken for a confession was revealed: "only moments after his confinement, the number one suspect (Coty) startled the investigating officers by revealing that he had accomplices in the crime." Furthermore the report discussed possible evidence, "the blood-stained clothing which reportedly had been worn by the number two suspect during the crime, was one of the leading bits of evidence that finally condemned the two." The appellate court admitted that the film was prejudicial: "The film and script presents a remarkable demonstration of many things officials charged with law enforcement should not do if they would maintain some reasonable balance between 'free press' and a 'fair trial.' The narrative simply assumes the guilt of the respondents." Even so the conviction was upheld.

A similar situation occurred in *People* v. *Torres* (Illinois).[49] In this case the media conducted a mock trial "with witnesses appearing on TV to identify the defendant and with excerpts from the defendant's confession being printed in the papers before the trial."[50] The court deplored the practice but refused to reverse.

The few instances of judicial remedy described above should not be construed as showing that there was great variability in the way state courts dealt with pretrial publicity. In most states, a similar pattern of decision making emerged, the result of which has been a rather uniform denial of judicial relief.

State courts have not denied that some types of publicity may be prejudiced. Publication of items that are inadmissible in court was generally viewed as posing a risk to the trial. Included in this category were confessions obtained illegally, evidence acquired as a result of illegal searches, hearsay, polygraph test results, and reference to prior convictions.[51] Publication of this same material even when admissible in court was also generally regarded as risking prejudice.[52] Some exception was taken as to whether publication of prior convictions, when admissible in court, is damaging.[53]

News which is "inflammatory" has been considered prejudicial. Determining

[49] 297 N.E. 2d 142 (1973).

[50] Ibid., 145.

[51] *Commonwealth* v. *Pierce*, 303 A. 2d 209 (1973); *State* v. *Hebard*, 184 N.W. 2d 156 (1971).

[52] *Oliver* v. *State*, 250 So. 2d 888 (1971); *Forsythe* v. *State*, 230 N.E. 2d 681 (1967); *State v. Keegan*, 286 N.E. 2d 345 (1971).

[53] *People* v. *Berry*, 226 N.E. 2d 591 (1967); *State* v. *Northrup*, 381 A. 2d 489 (1974); *State* v. *Butler*, 524 P. 2d 488 (1974); *Francis* v. *State*, 498 S.W. 2d [Southwestern Reporter, Second Series] 107 (1973).

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when news is inflammatory involves going beyond generally objective criteria and attempting to assess a state of mind of the press when they report material. Press reporting that urges conviction is inflammatory; extensive and repeated coverage may in itself create community hostility.

However, a defendant usually has not been protected against generalized publicity which might have generated hostility either toward crime generally, toward a specific crime of which he was accused, or toward a group of which he was a member. In *McLaughlin* v. *State* (Maryland),[54] for example, a defendant charged with malicious destruction of property arising out of a prison riot had been referred to in the press as one of the ringleaders of the riot. The request for a change of venue was denied. Similarly, in Mississippi, street violence was not felt to impede the conduct of a fair trial of one charged with a specific offense in the course of that violence.[55] In *Johnson* v. *State* (Texas)[56] the appellant was charged with destruction of property. He claimed that publicity describing him as field secretary for the Student Nonviolent Coordinating Committee created inherent prejudice because SNCC had a widespread reputation for being militant in black affairs. The court reasoned that the impact of such news was unlikely to be great in a county with a population of over 1 million persons.[57]

State courts have dealt reasonably well with the question of what constitutes prejudicial publicity. The key issue, however, is at what point the presence of such prejudicial material leads to the trial's impartiality being damaged.

As already noted, the Supreme Court suggested that publicity can generate two separate types of prejudice. Publicity may be so prejudicial and/or pervasive as to create an atmosphere of hostility toward the defendant that will necessarily result in a lack of due process. In such instances, the defendant need not show identifiable prejudice. Prejudice is considered inherent. Actual prejudice arises when publicity has infected jurors to such an extent that they are in fact no longer impartial.

Few states have been willing to entertain claims of inherent prejudice. It is this refusal, more than any other factor, that has been responsible for the widespread denial of judicial remedy by most state courts. Obviously a claim of actual prejudice is more difficult to support than one of inherent prejudice. The accused must show that not only the items complained of were sufficiently prejudicial but also that they reached the jury. Furthermore, he must demonstrate that the impartiality of the jury was affected thereby.

California is one of the few states that have recognized claims of inherent prejudice. It is the only state that has attempted to specify general rules for litigating claims of prejudicial publicity. California was responsible for seven of the sixteen reversals. A comparison of some of the California cases with cases elsewhere illustrates the importance of the principle of inherent prejudice.

[54] 240 A. 2d 298 (1968).
[55] *Parks* v. *State*, 267 So. 2d 302 (1972).
[56] 467 S.W. 2d 247 (1971).
[57] *State* v. *Dent*, 473 S.W. 2d 370 (1971). See also *Thomas* v. *State*, 192 N.W. 2d 864 (1972).

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The California Supreme Court interpreted *Sheppard* v. *Maxwell* as requiring an inquiry into whether publicity created community hostility sufficient to necessitate a judicial remedy. Appellate courts could intervene if a "reasonable likelihood" of prejudice existed.[58] Moreover, the California Supreme Court attempted to fashion standards for judging when judicial relief was indicated. In *Maine* v. *Superior Court of Mendocino* (California), petitioners were accused of having murdered "a popular teenage couple from respected families in the area."[59] The murder was brutal and attracted widespread attention. The court announced that:

> Whereas here defendants are friendless in the community, the victims prominent (a young and popular couple), the occurrence of the crime probably fortuitous as to locale; community-wide interests on behalf of the victims, newspaper publicity includes accounts of a purported confession and two opposing counsel are also election opponents a change of venue is clearly necessary to assure a fair trial to the defendants.[60]

In *People* v. *Tidwell* (California)[61] again the crime was brutal, the victims were popular, the press was informed by the investigating officers, and much of the state's evidence was presented in the press prior to trial. A public opinion survey indicated a widespread belief in guilt.[62] But there was no upcoming election, nor had the press published admissions of guilt. The claim of prejudice was upheld. In the case of *Corona* v. *Superior Court, County of Sutter* (California),[63] it was sufficient that a small county was saturated with news of the discovery of twenty-five shallow graves and the arrest of Juan Corona, for the murders had generated widespread publicity.

> A reasonable likelihood of unfairness may exist even though the news was neither inflammatory nor productive of overt hostility. When a spectacular crime has aroused community attention and a suspect has been arrested, the possibility of an unfair trial may originate in widespread publicity, describing facts, statements and circumstances which tend to create a belief in his guilt . . [64]

In contrast to the actions of the California Supreme Court was the decision handed down by the New York Court of Appeals in *People* v. *DiPiazza*.[65] The defendant, aged twenty, was accused of having murdered a seventeen-year-old girl whom he could not persuade to like him. The crime took place in a small community. Not unexpectedly the murder drew prominent press attention. The

[58] *Maine* v. *Superior Court of Mendocino County*, 66 Cal. Rptr. 724.
[59] Ibid., 730.
[60] Ibid., 732.
[61] 473 P. 2d 748 (1970).
[62] *Frazier* v. *Superior Court of Santa Cruz County*, 486 P.2d 694 (1971); *Fain* v. *Superior Court of Stanislaus County*, 84 Cal. Rptr. 135.
[63] 101 Cal. Rptr. 411.
[64] Ibid., 414–415.
[65] 248 N.E. 2d 412 (1969).

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defendant claimed that particularly prejudicial to him was an article which described his visit to his grandfather shortly before the killing and noted that the grandfather had been convicted of murder in the same county many years previously. It is certainly arguable that under the California standards such facts would have been sufficient to require a change of venue.

The contrast is sharply drawn in the case of *State* v. *Ray* (North Carolina).[66] Mr. Ray, a black man, was accused of raping a white woman in a small city. The white woman was well known, the community small, and the publicity widespread, but the North Carolina court found no danger to the accused. In North Carolina the defendant must prove actual prejudice and to do so he must show that the jurors had fixed opinions. Mr. Ray did not make such a showing.

Even more graphic is the difference between the treatment of the cases in California and Richard Speck in Illinois.[67] The murder of eight nurses in Chicago generated, as might be expected, widespread publicity. Items reporting the crime, the investigation, and the indictment appeared in newspapers, and on TV and radio broadcasts. Dissemination of publicity was nationwide. The defendant's prior criminal record was noted; it was further stated that his fingerprints had been found in the house where the women were slain and that he had been identified by the sole survivor. Speck asked that the trial court's denial of a second venue change be reversed. The Illinois Supreme Court refused. At least some of the reporting was clearly prejudicial to defendant, and this reporting was widespread. Between 250 and 300 jurors had to be excused on the grounds that they had a preconceived belief in the defendant's guilt. All of the jurors seated had read about the case. What then accounts for the court's refusal to grant relief? Without explicit argument on this point, the Illinois Supreme Court rejected consideration of inherent prejudice by stating that the basic consideration was not the amount of publicity (nor apparently its content) but rather whether the trial was impartial. In other words, the defendant had to prove actual prejudice. The court justified this test by arguing that the trial had to be conducted in *some* Illinois county since the publicity had been so pervasive. The court of course had the option, not discussed, of continuing the case until the effects of publicity had abated.

California is the only state that has attempted to specify general rules for litigating claims of prejudicial publicity. It is not, however, the only state that has considered claims of inherent prejudice. Seven other states—Iowa, Colorado, Washington, Ohio, West Virginia, Pennsylvania, and Florida—have required judicial remedy in the face of inherently prejudicial publicity. Together with California, these states account for all but two of the reversals. If establishing actual prejudice were not in itself sufficiently difficult, many state courts established a series of tests to be applied when prejudice is alleged. Failure to

[66] 164 So. 2d 457.
[67] *People* v. *Speck*, 242 N.E. 2d 208 (1968).

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demonstrate the existence of all the conditions has tended to result in denial of the claim.

First of all, the publicity complained of must have been prejudicial. Additionally, however, it must have been pervasive, although there is no clear indication of how much news meets this test. Do clippings have to fill four volumes as in *Sheppard* or would one volume be sufficient? Apparently sixty-eight items do not meet the test in the state of Washington.[68]

Even in the face of pervasive, prejudicial news, the passage of a relatively brief period of time can save the trial. Seven weeks was sufficient to disallow a claim in *Foster* v. *Commonwealth* (Virginia).[69]

Jurors who have read about a case but could recall nothing particularly prejudicial have generally been considered acceptable. For example in *People* v. *Lampson* (Illinois),[70] the media reported that Lampson's first trial had ended in a mistrial because of prejudicial publicity. It had been reported that Lampson had refused to make a statement to police after being advised of his rights. The court stated that "several items contained in the newspaper are inadmissible in evidence," but since the six jurors who read the articles could not remember "the reasons set forth as to why defendant had been granted a mistrial," a change of venue was not required.[71]

Claims of bias have been dismissed even when some jurors had read clearly prejudicial material. The Michigan Court of Appeals affirmed the conviction for armed robbery in *People* v. *Daily*[72] although *four* of the seated jurors had heard or read of the guilty pleas of the three participants with whom the name of the defendant was linked. Each denied having formed an opinion.

Also in Michigan, an accused subject to prejudicial publicity faces the judicial view that "newspaper reports are ordinarily regarded as too unreliable to influ-

[68] *State* v. *Butler*, 524 P. 2d 488 (1974). See also *State* v. *Bennett*, 182 S.E. 2d 291 (1971); *McKissick* v. *State*, 182 N.W. 2d 282 (1971); *State* v. *Gause*, 489 P. 2d 830 (1971).

[69] 163 S.E. 2d 565 (1968). The passage of five months was sufficient to save the trial in *Commonwealth* v. *Hoss*, 283 A. 2d 58 (1971) (Pennsylvania). The following headlines were quoted by the Court as representative of the news coverage: "Captive Says Hoss Admitted Slaying," "Hoss Given 10 to 20 Years on Rape Case," "Reports Say Hoss Admits Slaying." The Court then ruled that actual prejudice had not been shown either. Only 26 of 138 prospective jurors had formed an opinion as to defendant's guilt and none of the 12 jurors or 2 alternatives had a fixed opinion although all had heard of the case.

Other cases saved by the passage of time between trial and publicity included *People* v. *Berry*, 226 N.E. 2d 591 (1967); *People* v. *Black*, 288 N.W. 2d 376 (1972); *Helton* v. *Commonwealth*, 476 S.W. 2d 621 (1972); *State* v. *Poland*, 232 So. 2d 499 (1970); *Hurley* v. *Commonwealth*, 451 S.W. 2d 838 (1970); *Commonwealth* v. *Scott*, 277 N.E. 2d 483 (1971); *Tarrants* v. *State*, 236 So. 2d 360 (1970); *State* v. *Belton*, 286 A. 2d 78 (1972); and *Commonwealth* v. *Hoss*, 283 A. 2d 58 (1971).

[70] 286 N.E. 2d 358 (1972).

[71] See also *State* v. *Blackmon*, 185 S.E. 2d 123 (1971); *State* v. *Annis*, 192 N.W. 2d 419 (1971); and *State* v. *Fairbanks*, 289 N.E. 2d 352 (1972).

[72] 148 N.W. 2d 209 (1967).

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ence a fair-minded man when called upon to pass upon the merits of a case in light of evidence given under oath," first expressed in *People* v. *Swift* (1912)[73] and reiterated in several subsequent opinions.[74] It is little wonder that the claim of prejudice was rejected in all eleven cases in which it was raised during the years studied.

When jurors hold a preliminary view, courts often examine whether the view is fixed, that is, incapable of being changed by evidence. Consider the case of *Commonwealth* v. *Swanson* (Pennsylvania).[75] Of seventy prospective jurors who were questioned about their knowledge of the newspaper articles and television newscasts, almost all had read or seen the reports and further had opinions as to the defendant's guilt. Nonetheless since these opinions were not "fixed," the trial was not infirm.[76] In support of this position, lower courts have cited Justice Clark's statement in *Irvin* v. *Doud*,

> It is not required, however, that the jurors be totally ignorant of the facts and issues involved. In these days of swift, widespread and diverse methods of communication, an important case can be expected to arouse the interest of the public in the vicinity and scarcely any of those best qualified to serve as jurors will not have formed some impression or opinion as to the merits of the case. . . . To hold that the mere existence of any preconceived notion as to the guilt or innocence of an accused, without more, is sufficient to rebut the presumption of a prospective juror's impartiality would be to establish an impossible standard. It is sufficient if the juror can lay aside his impression or opinion and render a verdict based on the evidence presented in court.[77]

Nonetheless, statements by jurors that they could lay aside their opinions were not considered sufficient in that case. In the Court's view the massiveness of the publicity rendered such claims suspect.

In refusing a defendant's claim that pretrial publicity had prevented him from receiving an impartial jury, many courts have relied on evidence that defendants had not exhausted their peremptory challenges. Denial of a change of venue was at least partly based on this contention in many state cases.[78] This argument has been used even where the defendant may have used *most* of his peremptory challenges. Fourteen out of a possible fifteen were used in *Commonwealth*

[73] 172 Michigan 473.

[74] *People* v. *Daily*, 148 N.W. 2d 209 (1967); *People* v. *Havey*, 160 N.W. 2d 629 (1968).

[75] 248 A. 2d 12 (1968).

[76] See also *Krist* v. *Caldwell*, 198 S.E. 2d 161 (1973); *Butler* v. *State*, 213 S.E. 2d 490 (1975); *Merrill* v. *State*, 204 S.E. 2d 632 (1974); *Thatcher* v. *State*, 173 S.E. 2d 186 (1970); *Koonce* v. *State*, 456 P. 2d 549 (1969); *State* v. *Schmid*, 484 P. 2d 187 (1971); *Sergent* v. *People*, 497 P. 2d 983 (1972); *State* v. *Wakin Ekona*, 499 P. 2d 678 (1972).

[77] 366 U.S. 717, 756 (1961).

[78] *People* v. *Speck*, 242 N.E. 2d 208 (1968); *State* v. *Corliss*, 430 P. 2d 632 (1967); *State* v. *Steward*, 445 P. 2d 741 (1968); *People* v. *Black*, 288 N.E. 2d 376 (1972); *People* v. *Eldridge*, 169 N.W. 2d 497 (1969); *People* v. *Simmons*, 516 P. 2d 117 (1973); *State* v. *Thomas*, 489 P. 2d 1310 (1971); *People* v. *Sommerhalder*, 107 Cal. Rptr. 289; *People* v. *Gendron*, 243 N.E. 2d 208 (1969).

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v. *Smith*.[79] Yet counsel for defendant may well be afraid to exhaust his last peremptory challenge on the grounds that the next prospective juror might well be more objectionable than the one already seated.

Finally it should be noted that a claim of actual prejudice is occasionally upheld. In New Mexico, when eight jurors read and a ninth heard a radio broadcast which contained much of the evidence later presented by the state at the trial, the New Mexico Court of Appeals held that a change of venue should have been granted. They viewed skeptically statements by jurors that they could act impartially regardless of the items read.[80]

In *People* v. *Keegan* (Illinois)[81] the reading of one article by only two jurors was considered sufficient to require a change of venue. The article contained an allegation that police had uncovered color slides of nude and partially unclothed children during a search of defendant's home. The charge against Keegan was child molesting. According to the court, "the offense with which petitioner is charged has been described as similar in character to that of rape, because it is an accusation easily made, hard to be proved, and harder to be defended by the party accused, though ever so innocent."

These cases, in which claims of actual prejudice were upheld, are exceptions to the general principle that in the few states which recognize the concept of inherent prejudice, defendants are protected to a much greater degree than in the states which do not recognize this concept.

Conclusion

The Supreme Court has required of state courts only that an accused be accorded an impartial trial and that when publicity makes impartiality impossible, there must be a judicial remedy. At the same time, the Supreme Court has refused to specify the conditions which would require such a remedy. The response of most state courts has been to demand proof of actual prejudice, formulating a series of rigorous standards, with failure to meet any one of them generally being sufficient to deny the claim. There are some exceptions but only one state, California, has developed its own set of guidelines so that only a "reasonable likelihood of unfairness" need be established by the accused.

The reticence of judges to grant relief is not surprising. Judicial relief is both costly and difficult. Continuances may run afoul of the right to a speedy trial, a change of venue entails great expense to the state, as does a mistrial. Findings for some defendants may induce others to make frivolous claims. Furthermore, the accused do not generate widespread sympathy, and so there is no public pressure to protect their rights. But as explicable as the actions of state judges may be, unless one believes that press reporting poses little threat to impartial

[79] 258 N.E. 2d 13 (1970).
[80] *State* v. *Shawan*, 423 P. 2d 39 (1967).
[81] 286 N.E. 2d 345 (1971).

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criminal proceedings, one must conclude that there has been widespread denial of due process. It is simply not reasonable that publication of a confession can inherently taint a federal trial but not have the same effect on a trial in many of the states. Surely, state jurors are not more immune to influence. Other examples of disparate treatment abound, as described earlier.

Most defendants cannot look directly to the Supreme Court for relief. The Court has so far indicated a willingness to overturn only those cases in which there has been a manifest error and the Court hears only a few cases each year. There can be little doubt as well that the "fundamental fairness" standard makes the accused's constitutional claim harder to prove.

There is abundant evidence that federalism has not worked very well in guaranteeing the rights of the criminally accused to an impartial trial. The question remains as to what extent this study provides support for the broader argument that unless the Supreme Court uniformly gives specific content to phrases such as "due process" then essential rights will not be adequately protected. Without further data, this question cannot be answered definitely. There does not seem, however, to be any element of uniqueness about the issue of prejudicial publicity that would lead one to believe that state courts would perform better in other areas. In this regard it appears to be noteworthy that Supreme Court decisions over the last twenty years upholding claims of prejudicial publicity have not generated widespread public dissatisfaction as did other criminal procedure cases such as *Miranda* or *Escobedo*. The legal profession has generally acknowledged the dangers of prejudicial publicity, debating instead the remedy. If most state courts took little constructive action where the Supreme Court's action generally was accepted, how optimistic can one be that they will be more innovative where the Supreme Court's premise is not accepted?

Earlier Supreme Courts have recognized the limits of federalism, and have given the accused specific safeguards against improper confession, illegal searches, and denial of counsel. Present and future Supreme Courts have a continuing responsibility in this area—"fundamental fairness" requires national standards.

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The Academy of Political Science

Report of the President, 1976

It is pleasant to be able to report that the Academy had another successful year. A volume of the *Proceedings* titled "Canada-United States Relations" was published in April. The topic was particularly timely because recently a number of issues have arisen that place considerable strain on relations between Canada and the United States.

In November, a conference on "Health Care: The Role of Local Government" was held under the sponsorship of the Academy and Columbia University's Program of Continuing Education. This topic aroused wide interest, not only in the New York metropolitan area, but throughout the nation. While considerable attention has been given to national health programs, many of them are administered by local governments. Thus the subject is an important one. Stephen Berger, the executive director of the Emergency Financial Control Board of New York City, addressed the well-attended luncheon session on the "Interplay of State and Local Government in Health Care." The papers given at the conference as well as some sixteen others will be published in March 1977 and sent to all members of the Academy. A grant of $23,500 from the Robert Wood Johnson Foundation made possible the conference and the publication of the *Proceedings*.

The *Political Science Quarterly* received 190 manuscripts during the year, of which 27 were published. Although the print area of each page and the number of pages have been increased several times in the last few years, it is possible to accept only a few of the many excellent articles submitted to the editor. A most important service of the *Quarterly* is to provide scholarly reviews of books in the social sciences. During the past year, 145 books were reviewed; 91 percent of them had been published in 1975 and 1976.

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Membership in the Academy remained constant during the year. However, there were five new life members, Michael N. Chetkovich, Burns Henry, Jr., Max M. Kampelman, Robert MacCrate, and Dorothy Rona Sullivan, and fifty-eight new members in the special categories who contributed more than regular dues. In addition, the Academy received $6,764 in gifts during the year. We would particularly like to thank Mary Roebling, Franz Schneider, Marvin Bower, Beulah Boyd, W. Randolph Burgess, John F. Burton, J. B. Inglis, Heinz H. Loeffler, Helen Piekarz, J. J. Soubiran, Henry S. Wingate, Alfred E. Wolf, Felix Wormser, C. Frederick Ytterberg, and the Exxon Corporation. The Academy is grateful to John Lumberg and William H. Link, respectively president and vice-president of the American Savings Bank, for providing office space at a modest rental.

At the corporation meeting on January 17, 1977, Franz Schneider, Thomas M. Macioce, Courtney C. Brown, Leland M. Goodrich, Alfred C. Neal, Mary G. Roebling, and Aaron W. Warner were reelected directors for three-year terms. Eli S. Jacobs, the Academy's first director from the Pacific Coast, was added to the board. It is with regret that we note the retirement of Douglas Black as director. Mr. Black served for more than twenty-five years, and the Academy frequently benefited from his wise counsel on publishing matters.

Finally, in spite of inflation and the fact that membership dues are insufficient to cover expenditures, the Academy ended the year in sound financial condition. This was made possible by exceptional efforts of the staff and the generosity of our members and friends.

For almost a century the Academy has performed the unique function of bringing the best scholarly research to bear on the nation's political and economic problems. At this particular time, when the country is facing major decisions at home and in its relations with other countries, it is more important than ever that these questions be examined in an objective, nonpartisan manner. Financial pressures cannot be allowed to prevent the attainment of these objectives.

ROBERT H. CONNERY
President

January 24, 1977

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Book Reviews

Who's Running America? Institutional Leadership in the United States *by Thomas R. Dye. Englewood Cliffs, N. J., Prentice-Hall, 1976.—xi, 222 pp. Cloth, $8.95; paper, $5.95.*

Thomas R. Dye has written a decent book. He adequately summarizes the literature on power theory and adds a needed dimension of analysis: the institutional framework in which power decisions are made. The volume is at one and the same time a monograph that grew out of a graduate seminar at Florida State University where the biographical data for over 5000 institutional elites were studied; a text intended to provide supplementary material in courses on American politics; and a general overview of the literature on power elites.

One of the nicer features is the empirical data which analyzes institutional leadership in a manner that rivals the annual issues of *Business Week*, *Forbes*, and *Fortune* for concreteness. Also, the book names corporations, civic establishments, governing circles, and individuals who hold power. While the author appreciates the fact that rotation of power occurs, he provides enough flesh and bone to the statistical data to interest a general audience. Dye also makes a contribution to the theory of power by working through an operational separation of corporate, government, and public interests that is clearly more sophisticated than earlier triads of military, political, and economic interests. In general, we have here a worthwhile study done with a measure of dispassion and notable for its calm in this overheated area of political research.

But upon closer inspection of Dye's work, one notices a strange duality between the sentiments that inspire the volume and the claim it actually makes for power elite theory. The work is written within a tradition that assumes the power variable in American society can be conceptually isolated for research and can serve as a basic tool for identifying the nation's institutional elite. The sections that describe the concentration of power in industry, finance, insurance, government, foundations, the law, civic and cultural organizations, and universities, also seek to provide a profile of the people who occupy top institutional leadership. The final section attempts to perform a systematic investigation of institutional elites: how they interlock; why they

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specialize; who elites represent; and patterns of recruitment, background variables, race, sex, and religion; and in general, the attitudes and opinions that go into the making of institutional elites. The rhetoric is typical of the power elite school, but as one actually explores the contents of each chapter, one encounters serious counterfactualizing. In one area after another, the objections adduced by the pluralist school are registered, begrudgingly, but nonetheless devastatingly. The results show that far more confusion at the top of the heap exists in fact than in theory.

For example, Dye tells the reader that in education the twelve top colleges and universities control 50 percent of the private endowment funds, but they do not control any significant proportion of *all* higher education resources in the nation. While some corporate leaders gain business power through inheritance, others are of humble origin and come up through the ranks of corporate management. Dye acknowledges that a surprising percentage of top corporate leaders achieved their power by bureaucratic progression rather than by inheriting wealth. Similarly, politicians like Nelson Rockefeller and Charles Percy are directly linked to inherited wealth; but others, like Richard M. Nixon and Gerald R. Ford have no link to power through family background. The same is true for policy and decision makers: some achieve fame through the proverbial silver spoon and purple sash, while others may be immigrant Jews or Italians, like Kissinger and Sisco, who come to power through intellect. Even in that much vaunted bastion of WASP power, the judiciary, the upper-class portrait of previous members of the Supreme Court stands in marked contrast to the middle-class social origins of its current membership.

Dye and his youthful coworkers should be credited for not forcing the data; they do not try to falsify cohesion or consensus where none exists. They admit to the high degree of specialization that clearly limits the theory of interlocking directorates: "it should be remembered that most of the universe of 4000 top position-holders were 'specialists' " (p. 130). Dye acknowledges that if there is a coming together of corporate government and military elites, it clearly does not appear to be by means of an interlocking directorate, or for that matter, the character of elite recruitment. Moreover, if interlocked positions are outnumbered by specialized roles, as Dye's cross-tabulations suggest, one must assume that as one descends from apex to base in the occupational hierarchy, such specializing tendencies would increase even more.

The characterization of who rules America in terms of social stratification variables is more consistent than in terms of political decision-making functions. On the whole, those at the top are better educated, older, urban, Anglo-Saxon Protestants, and white males; very few are blacks, women, or drawn from special ethnic or religious minorities. The real problem is to get from the stratification sample, which indicates strong differences from the general population, to political differentials of equal factoral strength. At this point, the power concentration framework breaks apart since there is disagreement among the power elite about a wide variety of items. Furthermore, the link between social stratification and political decision making is exactly the missing lynchpin in Dye's volume.

One of two propositions would have to be adduced were this link to be established: First, were there a larger number of blacks, women, and other minority groups, deci-

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sion making would be different; or, conversely, the absence of these groups makes for a conservative outcome. In fact, the author indicates that there tends to be, especially within the intellectual elite and certain sectors of the political and economic elites, a far more liberal, even radical attitude toward change than appears among the rest of the American population. In short, social origin and recruitment patterns are indeed highly stratified in terms of race, class, sex, and education. It is the jump from the societal to the political that has been the central stumbling block for those who advocate elitist theory. Further, when we examine women in power, like Katherine Graham, Catherine B. Cleary, or Patricia Roberts Harris, one notes that their political behavior is quite similar to that of men with similar class and occupational backgrounds. Such information tends to weaken the argument that there is an exact relationship between the behavior and beliefs of those with social standing and those with political position.

IRVING LOUIS HOROWITZ
Rutgers University

The Dissent of the Governed: Alienation and Democracy in America *by James D. Wright. New York, Academic Press, 1976.—x, 320 pp. $16.50.*

Alienation has become something of a catchall phrase for observers of the American political scene. As such, the term has been applied readily to groups as divergent in outlook as the SDS and senior citizens—or to the society as a whole—and in the process its meaning has suffered. In *The Dissent of the Governed,* James D. Wright sets out to repair the damage by bringing together in one thoughtful work the most interesting and germane theoretical and empirical perspectives on the topic. In so doing he weeds out both the careless extensions of the "alienated" to all with an occasional gripe and more parochial emphases on single groups in atypical settings. The consolidation is in itself impressive and welcome, but it is all the more so because it is undertaken in the intellectual context of theories of society: pluralism, consensus, mass society, and a related general theory of alienation. Although the review and condensation proceeds four chapters into the book, it is neither a rehash of "the literature" nor an overzealous justification for the study that follows. Unlike much of the shorter and more fragmentary work on the topic, Wright's book establishes a clear theoretical base which demands the broad empirical analysis undertaken in the later chapters.

Using data from the University of Michigan's election studies from 1956 to 1970, Wright operationalizes alienation in terms of the absence of political efficacy and political trust, and discovers that more than half of the electorate is oriented to the political system in inefficacious and distrusting ways. That orientation, moreover, is concentrated among elements in which the political damage might be maximized —blacks, the working class, the marginal and "status-panicked" middle class. Despite this potential, at least two unconventional presidential candidates (Goldwater and Wallace) failed in their appeal to the alienated, hidden majority. The question that

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Wright considers central is thus framed: "How does a democratic society survive in the face of this much political alienation?" (p. 165). Extensive analysis of the correlates of alienation provides a three-part explanation: the alienated are objectively powerless; their alienation is not distinctively related to any potentially receptive group of subset of the population; and their disaffection is manifested not in active political participation but in general withdrawal. To the extent that alienation *is* as alienation *does*, therefore, society can and does live without serious disruption. To modify the consent versus dissent dichotomy on which theorists have debated the state of American democracy, Wright adds a third category of *assent* which includes that large number who are alienated in attitude but whose behaviors are minimal and largely conventional.

The strength of Wright's analysis is precisely that reformulation of empirical categories of orientation, and the demonstration that among the significant mass of unenthused but assenting Americans, disruptive politics is not a ready solution to generally unresponsive government. What is less persuasive is the attempt to contrast this plausible social explanation (which is aided by precise and relevant data) with older theories of consensus or pluralist democracy (which are not so easily tested with the same data). To test the adequacy of pluralist theories, for example, Wright relies on membership in political parties, in unions, and on church attendance—measures he readily admits do not fully capture the intended meaning of social identity and "communitarian" functions. Similarly, city size and length of residence may suggest *something* about the "intermediate structure" needed to avoid the dangers of mass society, but they are hardly sufficient indicators of the personal integration so central to the theory. Finally, a more complex but important case could be made that the refutation of a consensual theory of democracy is not convincing from the evidence presented. Efficacy and trust are on the one hand concluded to be more convenient than necessary to democratic regimes, especially as they fluctuate in response to policy. On the other hand, the absence of positive efficacy and trust is taken as evidence that the diffuse support which underlies consensus theory is not empirically visible. It is difficult to accept both sides of the argument: if efficacy and trust are *convenient* for democratic regimes, their continued good health or survival might still be dependent upon some form of enduring affect *other* than efficacy or trust—perhaps sheer attachment or loyalty to the system. As a critique of consensus theory, therefore, this analysis may be redefining the crucial terms of the theory rather than confronting it directly on its own terms. The revised theory is plausible on its own merits, so the attempt to strike down all opponents empirically appears to detract from an otherwise prudent selection of relevant test variables.

The task of accurately describing American political life is far too vexing to submit to solution either by theoretical debate or massive confrontations with empirical data. In the central effort to provide a reasonable reinterpretation of both the conditions and the promise of American democracy, Wright has gone a long way toward isolating important variables and locating them in a thoughtful framework. Perhaps his work will even inspire a fresh look at the assenting majority for the realistic opportunities it offers for a more participatory system; but the debate over the real struc-

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ture of political orientations in America is still likely to thrive on the issues not yet resolved.

MARILYN HOSKIN
State University of New York at Buffalo

The Powerholders *by David Kipnis. Chicago, The University of Chicago Press, 1976.—x, 230 pp. $12.50.*

The Powerholders is a study of the exercise of power from the orientation of the psychologist, which is to say the book is not primarily concerned with the systemic basis of power nor the structural aspects of society that empower some and deny power to others. The author says he is concerned in particular with the "psychological consequences of using power . . . rather than the political or economic consequences" (p. 1). Fortunately he does not stick to his declared intention of taking account only of psychological consequences but also considers the motivations of power seekers as well as consequences of the use of power. Nor as he elsewhere declares, does he strictly hold himself to considering the wielder of power alone. In fact, he has interesting things to say about the reciprocal relationships between powerholders and their "target persons." For example, one of the notable deficiencies of political science treatments of power is the persistent failure to take into account the variable capacities of resistance among the objects of the exercise of power, and this work provides some thoughtful observations on that point.

In the main the book is devoted to a review of the literature on power from a psychological (and to a lesser extent, sociological) point of view; as such it is recommended as an introduction to the subject. It is not laden with too much jargon, it presents its problems in a generally clear and effective manner, and in general it builds convincing cases without needless exaggeration. However, the amount of new evidence presented is small in comparison with the retelling of earlier research by others. It must be said that the book appears to have been poorly edited: lapses of style, punctuation, and spelling are annoyingly numerous. Moreover, the index is indecently brief.

One of the more interesting sections deals with the question of whether or to what extent childhood deprivation of parental love and attention lead to youthful hostility that in adults results in compensatory efforts to find security by asserting rigid control over others and by demanding an unceasing show of loyalty and recognition of the fine qualities of the powerholder. What leaps to mind, of course, is the interesting work of David Barber, David Halberstam, and Doris Kearns on Lyndon B. Johnson. Kipnis mentions only Halberstam and even that is a passing comment. It is disappointing not to have the psychologist examine his problem from a more political orientation when it seemed eminently appropriate.

Admittedly Kipnis is writing a psychological assessment of the problems of power and not a political one. But he does not resist drawing political conclusions about his research and findings. Indeed, in his final paragraph he calls for more experimental research into the problems of unrestrained power in the executive branch of the govern-

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ment in particular. "I would suggest," he says, "that among the questions to be studied and experimented with, in broad outline, are those that pertain to decisions concerning the use of various power tactics, how various forms of restraint modify these tactics, and how power usage under these various conditions affects the power-holder's views of himself and others" (p. 216). One should not, however, go into this research looking for the *psychological* answer to these important questions without considering the systemic and structural contexts that precondition behavior in ways just as incisive as the psychological.

DUANE LOCKARD
Princeton University

Verbal Behavior and Politics *by Doris A. Graber. Urbana, University of Illinois Press, 1976.—xiii, 377 pp. $12.95.*

The author wrote this book with a clearly defined objective in mind, and it should be said at once that she accomplished what she set out to do. As yet "there is no disciplinary subfield of political linguistics which focuses on verbal behavior as an important aspect of politics" (p. ix). The "minor" subfields that exist "purport to teach how to use language effectively to formulate political viewpoints and to persuade, but they rarely delve beneath the practical aspects of political persuasion to underlying principles and they do not cover verbal behavior in its broader aspects" (p. ix). This book, which is intended to fill part of the knowledge gap, is an emphatic success.

Five chapters consider the general characteristics of verbal behavior in politics, and five chapters are devoted to the study of selected political situations. The author steers a skillful course between systematic analysis and the use of empirical investigation to exhibit the present state of political science. "When verbal behavior occurs in a context which has political significance" (p. 3), it comes within the scope of the inquiry. Political significance is "construed narrowly," referring to verbal stimuli whose political messages reach or affect large numbers of people, or which are initiated by influential actors in politics, or which occur in open or closed political meetings. The first step is to provide a pre-view of the proposition that verbal behavior interacts importantly with the political process as a whole, and to deal candidly with standard doubts about the attribution of weight to words. By considering what is involved in "the construction of political messages," explicit links are established between the study of the specialized language of politics and other forms of communication (verbal and nonverbal). A chapter is devoted to eight selected "functions" of symbols in politics: attention arousal, creating linkages and definitions, creating and maintaining reality "sleeves" (perceptual selectivity), making commitments, producing policy-relevant moods, stimulating nonverbal action, using words as action, and using words as symbolic rewards. Another chapter focuses on the influences that can be drawn from verbal behavior, followed by the discussion of methods of analyzing and measuring behavior. In this chapter especially, one recognizes the voice of experience. The pitfalls and opportunities of "content analysis," for instance, are outlined with the cool detachment

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and sound judgment of an insider. Graber's research on the United Nations and the Near East also provides a firm basis for dealing with the questions of procedure and analysis that arise in seeking to appraise current research on verbal behavior in selected political situations (mass audiences, political elites, public assemblies, and small bargaining groups). The climatic chapter is the tenth, which is where "condensation symbols" are given lively and interesting treatment. "A verbal condensation symbol is a name, word, phrase, or maxim which stirs vivid impressions involving the listener's most basic values. The symbol arouses and readies him for moral or physical action" (p. 289). The "Epilogue" to the volume is a succinct and suggestive inventory of promising lines of research. "I am proposing them," writes Graber, "to attract other scholars to an area of scholarship whose challenges have remained largely unmet since they were first outlined" (p. 329), many years ago. As one who has been deeply involved in the study of verbal behavior as a major area of political and social sciences and policy, I hope this promise is fulfilled, and trust that the same qualities of scholarship and judgment that are exemplified in this combined text and treatise are maintained.

HAROLD D. LASSWELL
The Policy Sciences Center

Beyond the Presidency: The Residues of Power *by Marie B. Hecht. New York, Macmillan Publishing Co., 1976.—xvi, 348 pp. $15.95.*

Remarkably, this is the first scholarly study of America's ex-presidents. Although virtually every other aspect of the presidency has been studied, scholars have until now ignored the subject of the subsequent lives of the twenty-nine men who left the nation's executive mansion. This book tries to fill that gap, but it is only partially successful.

Its value lies in the author's attention to detail. She has gathered a wealth of evidence illustrating both the diversity and the shared themes in the lives of the ex-presidents from George Washington to Richard Nixon. The work is descriptive and almost encyclopedic in its concern with basic facts. The material is arranged topically by activity rather than chronologically. The text is divided into two broad sections dealing with the subsequent public and private lives of the men who survived their tenure in the White House.

Ambition for public office remained a driving force for many of the ex-presidents. Van Buren, Fillmore, and Theodore Roosevelt campaigned unsuccessfully after retirement for election to the presidency, but only Cleveland won that prize. John Quincy Adams was elected to the House and Andrew Johnson to the Senate. William Howard Taft realized a lifelong aim when he was appointed chief justice. Others served the public in less formal roles, as goodwill ambassadors or, like Herbert Hoover, as the head of ad hoc governmental commissions. Foremost in the minds of the ex-presidents has been the reputation of their administrations. This made their posture toward their successors dependent upon the current administration's relationship to their former policies.

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The need to provide financial security for themselves and their families occupied much of their private lives in the postpresidential years. Memoirs became a device for both vindication and economic support. It is no wonder then that most presidents since John Adams have at least attempted to write them. One of the most poignant scenes in the book is that of the dying Grant scribbling furiously against time to finish the autobiography which was to earn $500,000 for his nearly destitute family. The Virginia planters returned to their estates, but many like Jefferson, Madison, and Monroe lost them to their creditors. Others returned to law practice or sought refuge in the universities. Not until the Former Presidents Act of 1958 did Congress provide pensions for the ex-chief executives or their widows.

Despite its recapitulations of the activities of the ex-presidents, the book is disappointing. There are problems with the research, presentation, and analysis. It seems on the whole a hasty product. Fact succeeds fact, generalizations remain undeveloped, and the reader is left wondering what has been learned from this research effort.

The main limitation is the lack of systematic analysis and organizing conceptual framework. The book is anecdotal and episodic. Full of facts, it yields only a few platitudinous generalizations. Brief summaries at the end of each chapter are insipid and an uninsightful four-page epilogue substitutes for a conclusion.

There are no organizing hypotheses about retirement, the loss of power, or the changes in power when the "office" becomes symbolic rather than real. No reference is made to any theories by psychologists or by behavioral or social scientists. One wishes the author had asked suggestive questions and tested valuable hypotheses. What variables determined which role the ex-president would play? What has shaped society's responses to the activities of the ex-president? Did the Former Presidents Act of 1958, the Presidential Transition Act of 1964, and the Presidential Materials Preservation Act of 1974 (only the first is mentioned) have significant impact on the ex-presidency? Has that "office" become more institutionalized as the previous informality and laissez-faire attitude have been replaced by a policy of federal funding and regulation of certain aspects? What symbolic roles have ex-presidents performed that they (or their widows) have become viewed as worthy of public financial support? Why did the author fail to compare the ex-presidency with the retirement of officials at other levels of government or in other countries, or of the heads of major corporations or nonprofit institutions? In short, what do we learn from the data in this book?

The volume is hampered by other inadequacies. The footnotes indicate a rather sporadic use of manuscript sources. Ex-presidential papers are used only in selected years; the papers of the Founding Fathers, and of congressmen, and cabinet officers are omitted entirely. So are interviews with ex-presidents or their family or friends. References to magazine articles and congressional documents are also absent. The organization and presentation is frequently irritating. Annoying repetitions stem from the lack of chronology. Without an organizing hypothesis, there is little bias for differentiating the merely interesting from the important. Typographical inconsistencies increase the suspicion of haste in publication.

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The subject of the ex-presidency deserves better than this. A great deal of material is accumulated in this book. It is a pity that more was not done with it.

JOHN W. CHAMBERS II
Barnard College, Columbia University

Managing Presidential Objectives *by Richard Rose. New York, The Free Press, 1976.—x, 175 pp. $12.95.*

The subject of this study is the Nixon administration's efforts to introduce into the executive branch of the federal government "management by objectives" (MbO), a managerial technique commonly used in business firms to monitor the progress of subordinates toward specific corporate goals. The first three chapters are padding. Serious students of public administration should immediately skip to Chapter Four where the discussion of management by objectives begins. Rose notes that MbO is not part of the process of policy choice in which the president's budget is the central mechanism. Additionally, MbO is not directly related to the process of policy evaluation. Instead, MbO is part of the third aspect of governing—policy implementation—in which the goal is to "improve the speed and certainty with which government agencies carry out commitments to move in agreed ways" (p. 63). Simply put, MbO is the process of specifying organizational goals or major objectives for a given year and listing targets or "milestones" by which progress toward the goals can be judged.

The idea of implementing management by objectives in all major federal bureaucracies was the brainchild of Nixon's second term OMB leadership, Roy Ash and Frederic Malek, both of whom were trained at Harvard Business School and had careers centered around business management. After a three-year trial in HEW under the direction of Malek, MbO was launched as a governmentwide program in the spring of 1973 with the full backing of the Nixon White House. Surprisingly, Rose reports that MbO did not become part of the Nixon administration's efforts to centralize and control departmental decision making in the White House. Apparently, Ash and Malek were so concerned with getting MbO accepted by the departments as a way of thinking that they encouraged agencies to set their own objectives. Rose quotes one HUD official who told the *National Journal*, "OMB is being so flexible I can't stand it" (p. 72). The author notes that although the MbO program called for presidential as well as departmental objectives, the White House has not played a major role. Instead, it has limited itself to noncontroversial objectives with little oversight of the departments, presumably because presidents have not wanted to become personally committed on a broad range of potentially troublesome departmental matters. Similarly, once it was instituted, top OMB personnel lost interest in oversight of MbO because of the pressure of time. According to Rose, MbO has served chiefly as an aid to departmental heads and other top political appointments within the departments who often arrive with little idea of departmental work and confront a sprawling bureaucracy.

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Rose estimates the costs of maintaining MbO at somewhat less than the $4.5 to $6 million a year it costs to operate since MbO staff personnel both in OMB and in the departments do not work full time on this activity and since paperwork has been kept to a minimum. Granted, thinking clearly about organizational goals and setting targets to meet those goals are administrative virtues. But can MbO accomplish these tasks given the way it was implemented? And has MbO been worth the cost? Rose does not take a clear position on these crucial issues. He quotes some bureaucrats to the effect that MbO has given new direction to otherwise floundering agencies. In addition, he argues convincingly that MbO need not rely strictly on quantitative measures of effectiveness. But he also provides substantial evidence for the conclusion that MbO has been of very modest help because of its tendency to focus on noncontroversial activities and to be implemented from the bottom up. Although Rose fails to note it, in the business world the use of MbO does not mean lower level personnel set their own objectives and targets without strong control from the top. Moreover, Rose has no independent basis on which to evaluate MbO since he provides no in-depth case studies of agency activity, relying instead on descriptive analyses of the objectives as they are stated and interviews with personnel spread over about twenty departments. One is tempted to conclude that Rose has hung around with these bureaucrats for too long. The noncontroversial, dull, and imprecise nature of his evaluation of MbO and the unnecessary length of his extended essay suggest that he has "gone native."

PAUL J. HALPERN
University of California, Los Angeles

The Executive, Congress, and Foreign Policy: Studies of the Nixon Administration *by John Lehman. New York, Praeger Publishers, 1976.—xv, 247 pp. $18.50.*

John Lehman, editor of several works on disarmament, member of the National Security Council (1969–1974) and of the United States Delegation to the Mutual and Balanced Force Reductions Talks in Vienna, and deputy director of the U. S. Arms Control and Disarmament Agency, has produced a rambling and disjointed apology for executive supremacy which adds nothing to our understanding of the foreign policy processes. The thesis of this book is that during the Nixon administration Congress played an increasingly determinate role in foreign policy, and Lehman refers to this development as the "violent reinstitution of Congressional domination" and a "tumultuous revolution" (p. vii). Dividing foreign policy into four "processes" (p. viii)—war, treaty, investigation, authorization/appropriation (which seems to confuse processes with powers)—he offers case studies: the Cooper-Church Amendment, renewal of the Spanish Treaty, investigation by the Symington Committee of secret American commitments, and the fight over the supplemental appropriation for Cambodia. These cases are prefaced by chapters dealing with separation of powers and the check and balance system, and followed by what purports to be an analytical chapter.

The book provides a brief and somewhat inaccurate account of the constitutional

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developments of 1787, and follows with accounts of the theory and practice of foreign relations developed by Hamilton, Madison, Jefferson, Lincoln, Theodore Roosevelt, Taft, Wilson, Franklin D. Roosevelt, Truman, and Kennedy—in the space of nine pages. Fortunately the author has mastered the art of stringing his notes together so that he can dispose of complicated historical developments in the space of a two- or three-sentence paragraph, enabling him to complete his succinct presentation with enough room to provide a generous two pages for the judicial intervention in foreign affairs since 1787. Next the reader is given a dose of the theology of the Nixon "high prerogative" men; the point is made that: "In the executive departments, the richness and sophistication in scientific, technological, military, diplomatic, statistical, medical, educational, geological, fiscal, legal, and sociological skills including their most arcane branches, are truly awesome" (p. 26). Lehman would not trust Congress to analyze raw intelligence data in an argument that sounds reminiscent of Hamilton and Jay in the *Federalist*, and he insists that only the executive can make foreign policy because of its administrative unity, his case in point being the Cuban missile crisis (p. 27). It is truly astonishing that a national security manager in this day and age, and one with an earned doctorate in political science, does not make use of Graham Allison's discussion of bureaucratic politics in the Cuban missile crisis—an analysis that should give pause to those who argue that unity is one of the advantages of the executive.

But Lehman seems neither to have read or benefited from the rich literature on decision making, and is capable of remarking that "E. A. Kolodziej and others have treated executive dominance as axiomatic in foreign policy" (p. 15). Readers of *The Uncommon Defense* might wonder what Lehman is talking about.

The case studies themselves are adequate narratives, but the chronological presentation of legislative history is somewhat tendentious and far inferior to the methods employed by masters of the case study genre such as Neustadt and Allison. Moreover, Lehman can dispose of the most interesting issues in a sentence or two, as he does with the $100 million in transfers made to the Cambodian account prior to congressional action—a subject treated in excellent manner by Louis Fisher in *The Spending Power*. The concluding chapter is prescriptive, but in a "Good Fairy" exhortative tone, rather than offering detailed proposals. And the argument is difficult to follow: Lehman now seems to argue that the executive is dominant in foreign policy—a complete contradiction of his earlier conclusions.

RICHARD M. PIOUS
Barnard College, Columbia University

Yeas and Nays: Normal Decision-Making in the U. S. House of Representatives *by Donald R. Matthews and James A. Stimson. New York, John Wiley & Sons, 1975.—xiv, 190 pp. $14.95.*

It was a pleasure at last to read this book. As with an underground classic, mimeographed snippets of it have circulated on the convention circuit for many years. But it

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was worth the wait: *Yeas and Nays* is at once a good, readable book and a major contribution to our understanding of the political process.

What this book underscores is the enormous complexity, range of choice, and necessity for shortcuts that being a congressman entails. Pressed to design a milk marketing system one day and evaluate a new weapons system the next, there is no way in which an individual member can avoid relying on others for information, advice, and even direction.

To posit a rational-comprehensive method of individual decision making is sheer romanticism. But it is possible, given a division of labor, for a group of uninformed individuals to make informed decisions. What Stimson and Matthews have done is to describe the nature and functioning of this division of labor through a process they call cue giving. From the perspective of the individual member, "a cue-taking strategy of roll-call voting makes it possible for the ordinary congressman to both vote in a reasonably rational fashion and to do so on the basis of exceedingly little information" (p. 45).

The most interesting parts of the book are those in which the authors describe who takes cues, when, and how. As might be expected, committee members are the most frequently used cue givers; party lines are important; and members tend to seek out those with similar constituencies. Frequently there is a two-step flow of cues from an initial source through various intermediary groups and individuals. And although there are significant differences between junior and senior members, Republicans and Democrats, etc., overwhelming majorities in all categories report a frequent reliance on cues in making voting decisions. The ways in which Matthews and Stimson blend their interview reports and statistical tables in describing these findings is particularly refreshing.

Less impressive is the authors' attempt to test their model of cue giving through a computer simulation. There are too many self-fulfilling assumptions in the model to make the data meaningful. Also puzzling is the authors' lack of attention to negative cue giving (if X is for it, I'm against); was it not found or not looked for? Finally, a more comprehensive summary speculating on the implications of their findings would have added a great deal to the study.

This is, however, an impressive, well-wrought, and important work. It can be used both in the classroom and as a source of quotations, data, and perspectives for those studying the legislative process.

EDWARD SCHNEIER
City College, City University of New York

Rulemakers of the House *by Spark M. Matsunaga and Ping Chen. Urbana, Ill., University of Illinois Press, 1976.—xv, 208 pp. $7.95.*

This book is the product of an unusual collaboration, between a congressman from Hawaii, formerly a member of the House Rules Committee, and a political scientist from Eastern Illinois University, the author of a book on Chinese political thought.

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It pulls together a substantial amount of information about the Rules Committee from 1957 to 1976, including the results of over fifty interviews and several statistical series—e.g., on characteristics of members before and after appointment and on characteristics of bills denied a rule by the committee.

The authors identify three historical phases in the twenty-year span of their chronicle, in which the committee moves from relative independence from the House leadership, under Chairman Howard W. Smith of Virginia, to relative subordination to House leadership, under Chairman Ray Madden of Indiana. In this, as in much else, the book tends to confirm the observations of students of Congress in the contemporary era. Readers who seek surprises or a theoretically elaborate treatment rather than a discussion of what they already know will have to look elsewhere.

NELSON W. POLSBY
University of California, Berkeley

Men Against McCarthy *by Richard Fried. New York, Columbia University Press, 1976.—xii, 428 pp. $14.95.*

This is a workmanlike and often perceptive account of Joe McCarthy's rise and fall—told largely in terms of political conflict. It is Fried's contention that McCarthy was as much the "product of events as their shaper" (p. 315), which, of course, can be said about almost anyone. Had there been no cold war, no fear of communism, there would have been no McCarthy, or at least the McCarthy we knew would have been a very different figure, exploiting anxieties of some other sort. McCarthyism, however, became a new and it seems enduring name for a phenomenon that antedates both the cold war and communism, one that has turned up time and again in American life since the early days of the Republic, and there has to be a reason why an ancient demagogic strategy is still described by the name of a dead senator from Wisconsin. There were, after all, many others in the field even while McCarthy was in the headlines, but the names of none became eponyms as his did. McCarthy had an extraordinary talent for making the kind of mischief he did; if he had been a more resolute man, a more determined misleader, he could have been a graver menace than he was. And at times, he did shape events; it was not fear of some dark and nameless forces that led so many to capitulate to him during the few years when he was at center stage—it was fear of one man, Senator Joe McCarthy, who wielded in that time considerable political power. Fried cites figures suggesting that the public preoccupation with communism was not then so prevalent as many thought it to be. Maybe not, but polls in early 1954, when McCarthy was about to begin his swift decline, showed that 50 percent of Americans felt he was doing useful work for the country and that far fewer than 50 percent saw it the other way.

On other matters, Fried is more persuasive. McCarthy flourished not primarily because the Democrats paved the way for him with their own anticommunism and loyalty programs, though this certainly was part of it, but largely because the Republicans, in their thirst for power, quickly came to terms with him and put him to use the way a

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field commander puts heavy artillery to use. He was firing not so much at Communists as at Democrats, and in 1952 many of them fell. (How many went down because of McCarthy and how many because Dwight Eisenhower made it a Republican year it is difficult to say, but some of the credit, if that is the word, belonged to McCarthy.) What the Republicans did not foresee was that McCarthy, being the spoiler he was, had in time to turn against whatever party held power in the executive branch. "Twenty years of treason" soon became twenty-one, and McCarthy trained his sights on the army, an institution he had tangled with earlier on a matter having nothing to do with communism. This was a strategic blunder on his part, but even so he very nearly got away with it. Had not Charles Potter, a Republican senator from Michigan, been more or less conned into voting with the Democrats, McCarthy would have come out of the Army-McCarthy hearings with a judgment not unfavorable.

Men Against McCarthy is a valuable contribution to the political literature of the period. The story has not been told before in the framework of political rivalries, and now it need not be told again.

RICHARD H. ROVERE
The New Yorker

Unequal Justice: Lawyers and Social Change in Modern America *by Jerold S. Auerbach. New York, Oxford University Press, 1976.—xiii, 395 pp. $13.95.*

The main theme of Jerold Auerbach's examination of the legal profession in America should not strike the reader as novel. Since it is a near commonplace that the legal profession is disproportionately responsive to those with status and money and the knowledge to use them, what about Auerbach's rendition of this phenomenon and its political consequences marks his book as particularly noteworthy? The first possibility is the historical texture of the narrative, and it is indeed firm and rich despite two weaknesses. It involves a questionable utopian portrait of the early rural lawyer, and focuses perhaps too strongly on an aspect of inequality which later seems to vanish—anti-Semitism. Thus the implicit background for his contemporary observations operates as a spectral standard from which the first and seemingly greatest deviation is the exclusion of the Jewish lawyer. Frustratingly, the role of the contemporary Jewish practitioner is not fully acknowledged by Auerbach, leaving the reader suspicious that perhaps the expansion of the legal culture in mid-century America blurred this ethnic barrier, and Auerbach's failure to pursue or evaluate this may be a major weakness. Either the bar's anti-Semitism was not the major problem he contends it was, or there may be in its "solution" a lession which Auerbach fails to acknowledge.

The second possible hallmark of Auerbach's work lies in the theoretical framework in which he places his narrative. Two main questions remain unresolved; first, the relationship between the bar and the society from which it arises is left indeterminate. Second, the reader is unable to ascertain whether Auerbach's critique springs from a framework fundamentally at odds with liberal society or one in which the reformed bar would be congenial with liberal institutions. Thus, we are unsure whether

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there is a plausible focus for remedial action within the legal profession in the context of liberal society or whether reform to the radical condition of substantive equality will alone suffice.

To be fair, the very trenchance of Auerbach's last chapter analysis of the legal process points up the lack of clear relationship between process and context. Legalism in Auerbach's portrait is both distinctive and yet a reflection of the society in which it functions. As part of liberal competitive society, the legal profession has hoped to make pursuit of private selfish goals into public virtue. In an analysis reminiscent of Judith Shklar's *Legalism*, Auerbach argues convincingly that an ethic of service to all comers has undeniable substantive results, consequences for which the bar must be held accountable.

The most pointed example of the elite ethic of nominally equitable service is Auerbach's development of the origins of the canons of ethics of which the bar is so proud. Disguised as a set of standards which somehow elevate law beyond other professions, these canons serve elite interests in a number of ways: have-not lawyers are barred from any form of advertising and scorned for ambulance chasing; the ethic of serving all comers fails when elite lawyers are approached by unpopular political dissidents yet functions all too well in justifying the highest paid firms' service of financial interests at odds with even liberal notions of justice as equity.

While many of Auerbach's points ought to be considered commonplace, they are not by the very practitioners whom his analysis should alert. His book inexorably and even elegantly records the historical evidence necessary to support his thesis. After reading his relentless characterization of the legal profession, one must face the conclusion that the law has been reduced to just another line of work, a suspicion which Watergate only confirmed for the American public. If the bar would aspire to more dignity than it presently maintains, it must somehow really become involved in the business of public service and social justice. As Auerbach demonstrates, past claims of such service to the common good are ringing conspicuously hollow.

EMILY ALBRINK FOWLER
University of Wisconsin—Madison

Prisoners Among Us: The Problem of Parole *by David T. Stanley. Washington, D. C., The Brookings Institution, 1976.—xiii, 205 pp. Cloth, $9.95; paper $3.95.*

This is a highly readable and intelligent review of the research involving the theory and practice of parole. It concentrates on the substantive and procedural decisions made in releasing a prisoner on parole, keeping him under supervision, returning him to custody, and providing help for his adjustment in the community.

A number of aspects of the book deserve special comment for their excellence. In about ten pages, Stanley does as good a job as exists in the literature on the major purposes of criminal punishment, including a devastating critique of rehabilitation as a

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justifying aim of imprisonment; again, in just a few pages, he summarizes the highlights of the enormous literature on parole prediction, including a thoughtful consideration of the real reasons why parole boards apply their criteria flexibility to different cases. Moreover, throughout there is a constant appreciation of the enormous difficulties in methodology in this area where the definitions of success and failure on probation are not only so varied, but also are an incomplete picture of reality. Indeed, nobody has satisfactorily answered the question of why we should not consider parole a success where a parolee, who would otherwise be a major offender, becomes a minor one. Or, where a parolee, who would otherwise be a minor offender, becomes merely a nuisance, a public health problem such as a drunk, or a welfare statistic.

Despite the obvious intelligence of the book, one may be extremely dubious about its major conclusion—that we should do away with parole entirely. Stanley admittedly recommends only that the model and conclusions he points to be "tested in whole or in part by governments, where it is possible politically" (p. 184). There are, indeed, ongoing studies of the effect of release without parole as opposed to our normal parole supervision. These studies, however, tend to have seized upon natural events, such as court decisions which by invalidating convictions, freed sizable numbers of prisoners without the necessity of parole. These plus some careful randomized studies are certainly in order here, and may provide some of the information with which to greatly strengthen Stanley's case. At least to this reviewer, however, his conclusion is considerably more sweeping than a call for more thought and study—and perhaps for that very reason it is seriously flawed.

First of all, whatever its other faults, parole does allow the release of prisoners before public opinion, the legislature, and many judges, might desire it. If one believes, as Stanley and many of us involved in the criminal system do, that our sentences are, by and large, much too long and unduly punitive anyway, it makes a certain practical sense to embrace any device that allows us to mitigate the severity of the other institutions of the criminal law. Second, even if one believes that supervision on parole is not very good, the empirical evidence by no means excludes the possibility that it is of some—even considerable—help.

Moreover, even in moral terms it may make perfect sense to say that, though we will adhere to the most rigorous procedures and decide every reasonable possibility of innocence in favor of most members of society, one who, with all of these protections has been confined and imprisoned, takes the chance on our subsequent mistakes, at least while he is on parole. There has been neither a theoretical, nor a moral examination of the principle that while it is better that ten guilty escape than that one innocent man be convicted, this principle does not necessarily apply to those who may be held to have forfeited its benefits. As to them, we may, perhaps justly, take the view that mistakes made in punishing the innocent and in not punishing the guilty should be regarded as of precisely equal moment. That is not to say that one must reach any conclusion either way on these issues. It is merely that one must discuss these issues before coming to Stanley's conclusions. In other words, despite its sensitivity to the defects of our parole system, the book does not measure up in its

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consideration of the consequences and desirability of doing away with the institution entirely.

Nonetheless, this remains an extremely helpful, thoughtful, and up-to-date work, which, in clear terms, tells us what we know and what we do not know about the institution of parole.

JOHN KAPLAN
Stanford University

Parole: Legal Issues/Decision-making/Research *edited by William E. Amos and Charles L. Newman. New York, Federal Legal Publications, 1975.—xiii, 417 pp. $15.00.*

In 1972 Professor Donald Newman wrote in an article reprinted in *Parole: Legal Issues/Decision-making/Research*, "The major legal challenge to parole today is not directed to the propriety of the concept itself, but to its administration" (p. 24). That statement was accurate then; it is no longer accurate. Within the past two years, parole has suffered slings and arrows from many quarters and on many counts; among them have been significant legal challenges, in both federal and state courts, to the basic validity of discretionary parole release. A prisoner's interest in prospective parole has been called a "conditional entitlement" by more than one federal court, an interest deserving protection by the due process clause of the Fourteenth Amendment. One federal case has implied that parole boards must have specific release criteria, and courts have entertained arguments that statutory standards for parole release are so vague as to allow arbitrary (and therefore unconstitutional) decisions.

In general, this book suffers from the rush of events following and accompanying the recent criticisms leveled at parole. Maine has abolished parole and restructured its sentences. California has rung the death knell on the indeterminate sentence, and the governor of Illinois has proposed a flat-time sentencing scheme that would do away with parole entirely. Various experiments, discussed in prospect in the pages of *Parole*—the Federal Parole Board's Guidelines for Decision-making and the American Correctional Association's Mutual Agreement Program—have now been evaluated, and the questions raised by the evaluations are as important to the future of parole as the experiments themselves. None of this is, or could have been, included in the book.

Perhaps the editors sensed the coming revolution and thought of it as a reason for collecting materials that would picture the institution in transition. But it seems more likely that they anticipated only refinements of the existing system. In their introduction they say, "Thus, with the introduction of due process, we strive to promise fairness and justice, which provide a partial solution [to the crime problem]. Another part of the solution lies in a more scientifically vigorous approach to the decision-making process" (p. xii). It is fair to say that the most important

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recent contributions to the debate about solutions to the crime problem go well beyond developing procedural safeguards and technocratic advances for the moments of decision in criminal justice. We have entered an era when scholars as diverse as James Q. Wilson (*Thinking About Crime*) and Andrew von Hirsch (*Doing Justice: The Choice of Punishments*) are examining the very basis of society's judgments about criminal behavior. Through relatively abstract discussions of fundamental issues, they are exerting significant influence on public policy and administrative practice.

The shift of concern from operations to theory, from procedure to substance, has implications for readers of the Amos and Newman book. They should know that the central parole question has become the inquiry into the proper goals of sentencing, and an analysis of parole today cannot be separated from an analysis of the indeterminate sentence. A serious limitation of this book is that only the articles by Robert W. Kastenmaier and Howard C. Eglit ("Parole Release Decision-making," p. 76) and Graeme R. Newman ("Blind Spots and Biases in Prediction Research," p. 378) even hint at such fundamental philosophical dilemmas.

Despite its gaps, *Parole* is an extremely useful book. The editors are modest about having ultimate solutions to the problems of parole; they have therefore presented a range of views on a range of issues. The collection is invaluable both as a survey and a reference work. Donald Newman's article is a fine descriptive review of parole litigation, with a fundamentally conservative analysis of its implications and a strong recommendation to parole agencies to forestall "extremes of court intervention" (p. 63) by instituting solid reforms. The articles by Leslie Wilkins and Peter Hoffman give a good sense of efforts to rationalize parole decision making, while the Kastenmaier and Eglit piece warns cogently of the limitations that may inhere in even the most rational efforts of parole boards to predict behavior and weigh punishment rationales. Selections on the effectiveness of correctional programs show how parole decisions are impeded by the pervasive failure of "treatment" programs. Finally, the articles on parole operations research make clear the difficulties of defining and measuring outcomes where institutions of criminal justice are concerned.

DIANA R. GORDON
Citizens' Inquiry on Parole and Criminal Justice

Federal Programs and City Politics: The Dynamics of the Aid Process in Oakland *by Jeffrey L. Pressman. Berkeley, University of California Press, 1975.—viii, 155 pp. $10.95.*

For all the outpouring of research on urban problems in the last decade, one crucial feature of the city's political landscape has been largely ignored. Few political scientists have examined urban problems from the perspective of federal policy making; and even fewer writers have analyzed the impact of federal programs from the perspec-

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tive of the urban political environment. Indeed, it is remarkable how little serious analysis has been devoted to city government as a problem of federalism and therefore to the problems and prospects of what might best be termed "national urban policy."

In his *Federal Programs and City Politics*, Jeffrey Pressman has moved to fill this gap, and his book would be a welcome addition—indeed an important contribution—if he did nothing more than close the analytical gap between "federal" and "urban" perspectives. Happily, Pressman's book does far more than this; it is quite clearly an invaluable and highly refreshing study that shows the distinct advantage, now much asserted but rarely demonstrated, of relating (and blending) political analysis and policy analysis. In addition, Pressman accomplishes his task with a clarity, brevity, and vividness that make his book a pleasure to read as well as to ponder.

Pressman's central premise is that you cannot understand the political behavior, incentives, and policy decisions of urban policy makers without understanding those of the "feds" and vice versa. And since it is in the "aid process" that the two sets of actions come together, it is in the nature and "dynamics" of that process that Pressman looks for explanations of the defects, if not failures, of national urban policy. In so doing, Pressman makes a successful assault on the familiar nostrums of "cooperation" and "communication" in intergovernmental relations. He suggests that the beginning of wisdom is to understand why cooperation and communication are unlikely to flourish with every new and hopeful federal/urban program.

As he puts it, "If actors and organizations have conflicting policy preferences, then the technical methods of communication, planning, and coordination are unlikely to resolve the differences between them. More discussion and gathering of information might only result in pointing up differences between the organizations. As for coordination, this much-used term is often proposed as a cure for fragmentation, but it does not offer much guidance to one who wishes to make or to understand policy. If organizations disagree about objectives, then coordination may mean that one wins and the other loses" (pp. 10–11).

What are these crucial differences in policy preferences and objectives? Pressman persuasively locates the conflicts in the differing roles of federal and local governments "as donor and recipient" in the grant-in-aid programs. Simply, the donor's perspective includes a preference for "long-term plans, short-term funding, and a number of guidelines regulating how the money may be spent" (p. 11). By contrast, the recipient's perspective includes a "preference for short-term plans, long-term funding, and relatively few guidelines on spending" (p. 11). These are simple, sensible, and penetrating distinctions and Pressman uses them to demonstrate, with rich evidence from Oakland, how the federal partnership can easily dissolve into a federal "contest" in which both federal and local officials lament the inadequacies of the other and blame each other for the failure to produce desired policy results. Pressman's analysis proceeds to a number of other policy-making headaches that arise from the aid process and then to an emphasis on the inherent conflicts between "donor control" and "recipient autonomy." Here as elsewhere, Pressman makes use of an analogy to the foreign aid process, and the analogy is useful as far as it goes. However, the analogy clearly cannot illuminate American domestic politics per se, and Pressman thus spends considerable time

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examining the local political forces that surround the aid process. His most important point is that while the traditional urban "electoral arena" leads to compromise between groups and coalition building, the "federal program arena" provides few incentives for coalition building and cooperation between groups but rather encourages "separation by race and class." Again, it is the great virtue of Pressman's analysis that he makes a number of clear, compact, and unpretentious distinctions work powerfully and illuminate broadly.

In all, Pressman has produced an excellent study that cuts and slices to the heart of the federal/urban connection. One can only hope that his work will set a standard for future work in the field of intergovernmental relations.

DOUGLAS YATES
Yale University

The Politics of Exclusion *by Michael N. Danielson. New York, Columbia University Press, 1976.—ix, 357 pp. Cloth, $17.50; paper, $6.95.*

During the 1976 presidential campaign there was little or no debate on the problems growing out of the economic and racial segregation of the nation's metropolitan areas. No candidate wanted to offend the suburbs because the suburbs represent the most powerful political base that exists in the country. Both candidates knew that the election would be decided by the suburban population, not by the rapidly declining central city electorates. The impact of these changes will become evident in Congress and the state capitals after the massive reallocation of political power that will be triggered by the 1980 census. If there is to be any governmental effort to change the pattern of suburban development, the next few years will be crucial.

Michael Danielson's new book examines the nature of exclusion, some of its major consequences, and the political and social forces that sustain it. The study concentrates on the problem of suburban land use practices, exploring the various local motivations for exclusion and reviewing a wide variety of largely futile efforts to alter suburban policy. The study is particularly concerned with the exclusion of federally subsidized housing and draws very heavily on local experiences in the Boston-to-Washington urban corridor. The conflicts are explored most fully in New Jersey, that dismal suburban sprawl between New York and Philadelphia punctuated by a series of the nation's most devastated central cities.

Danielson portrays a set of policies and attitudes that have transformed American land use practices during the last generation and that are rapidly producing urban communities rigidly stratified not only by race but by class. The policies, he says, have been partly responsible for the enormous increases in the cost of new housing which have priced more than three-fourths of the public out of the new home market. The existing policies in many suburbs exclude not only the blacks and Latinos of the central cities but even the old people and the new families from the suburb's own population. Individual suburbs seek offices and clean factories from the cities to ease the tax

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burden, but they make it impossible for their workers to live nearby and they even try to choose sites which will shift the traffic burden onto the next jurisdiction.

The fragmented suburbs of the major cities, Danielson shows, have institutionalized selfishness and made it good politics to follow beggar-thy-neighbor economic strategies and to deny any responsibility at all for the problems of the urban core.

Even modest efforts to build a few units of moderate income subsidized housing, Danielson reports, can mobilize an almost hysterical reaction from thousands of angry suburbanites. In Westchester County, for example, an effort by the New York Urban Development Corporation to build 900 units divided among nine towns in an area which needed 46,000 units, mobilized the area: "Angry opposition to UDC was voiced by congressmen, local officials, state legislators, and thousands of residents of the towns. Over 3,000 attended one emotional meeting. . . . As Logue later noted, the 'intensity of the opposition was something to behold. . . . The clamor, the outrage, the anger—and, sadly—the hate displayed were disheartening' " (p. 317). As soon as the legislature got back to Albany, it rapidly repealed UDC's authority to initiate such projects and underlined the point by providing an explicit local veto even in cases where the existing zoning of a site would otherwise permit such use.

The major reform drive during the late 1960s and early 1970s concentrated on the courts. In the federal courts this campaign is now virtually extinguished after a series of very unfavorable Supreme Court decisions making it difficult to even bring a case into court and according wide discretion to local communities to enact any land use restrictions that are not openly discriminatory against minority groups. Danielson holds out somewhat more hope about decisions of some state courts, particularly New Jersey and Pennsylvania, which have struck down policies of economic exclusion. Though either state or federal governments could change local practices, Danielson believes that the political realities mean that they will not. The best that can be realistically hoped for, he concludes, is that suburbs may eventually recognize the need to build some subsidized housing for their own people, many of whom must otherwise leave. This would mean "accepting and perpetuating the spatially-separated and racially segregated metropolis" (p. 356). The people and their leaders, he concludes, want to maintain a separated society and they will do it.

This is a depressing book but an important one. One of its most depressing aspects is that Danielson has concentrated his attention very largely on the first of several walls of exclusion, local zoning. Even the greatest victories over zoning can have little meaning in the present context. President Nixon shut down the low-income public housing program in early 1973 without any discernible political costs. The only existing program today, Section 8, is aimed at moderate-income families and uses existing housing rather than new construction that could be placed in the new suburbs.

Even if we had low-income housing in the suburbs, as Danielson concedes, there is no evidence that it would significantly diminish racial segregation. Two new indices of metropolitan residential segregation show that it increased during the 1960s. If blacks were distributed like whites according to their income most would already be suburbanites in many metropolitan areas. In the few places where substantial suburban subsidized housing has been built, the occupancy has been overwhelmingly white. In

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fact, the Civil Rights Commission charged that the low-income home ownership programs sped up the processes of racial transition and ghetto expansion.

We are heading toward more extreme social fragmentation. Read this book and think about what it means for any view of an open egalitarian society. The issue will not go away, Danielson argues; the problem will only become steadily worse.

GARY ORFIELD
University of Illinois, Urbana

School Politics, Chicago Style *by Paul E. Peterson. Chicago, University of Chicago Press, 1976.—xvi, 304 pp. $15.00.*

Paul E. Peterson's superb analysis of the policy-making process in the Chicago public school system should become a standard text for students of urban politics. His lucid, objective scholarship sets his book apart from those recent works in which the intentions are similar but the arguments amount to special pleading couched in moralistic rhetoric.

Instead of asserting his convictions on controversial issues, Peterson tries to understand how the Chicago Board of Education reached its decisions on such questions as desegregation and decentralization. His carefully constructed models of analysis demonstrate that policy making can be seen from a variety of perspectives simultaneously. Peterson views policy formation both in terms of pluralist and ideological bargaining, each of which has its own characteristics; and the school system itself is studied both as an organization with its own internal values and interests and as a "rational decision maker," operating with particular goals and constraints.

While others have portrayed urban school policy as the product of racism or a "sick" bureaucracy, Peterson contends "that the causal factors that seem to shape policy vary according to which model is utilized, and that choosing among the models depends in part on the analyst's purposes" (p. xiii). When he applied his models to three specific problems—desegregation, collective bargaining, and decentralization—it is apparent that his approach brings a necessary flexibility and sophistication to the analysis of policy.

Peterson's restraint, while generally fruitful and admirable, seems occasionally to concentrate on "how" at the expense of "why," and to suspend unnecessarily his critical judgment. The failure of school desegregation is attributed to a variety of factors, such as white opposition, poor staff work, and unnecessary timidity. Yet only at the conclusion of his section on desegregation does he note that the theory underlying the proposed desegregation plan "was at least dubious from the beginning" (p. 183). The purpose of the plan was to achieve "racial stabilization," to slow or halt the rate at which schools and neighborhoods were changing from white to black. This was to be accomplished by two-way busing, aimed at maintaining a white majority in transitional schools and guaranteeing a maximum of 15 percent black pupils in all-white schools. At the time this proposal was advanced by the school superintendent, black pupils were already a majority of the public school enroll-

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ment. Peterson does not explore why anyone thought that such a plan would counter large-scale demographic shifts or whether those involved sensed the racism implicit in seeking to secure white enclaves. He points out that "there was little empirical evidence to support this basic assumption" (pp. 182–183), but it would have been useful to know why this flawed assumption about racial stabilization was accepted by reformers and how it was perceived by blacks.

Nor does Peterson adequately explain the rapid shift from desegregation to decentralization as a reform goal. The former required a strong central authority, the latter demanded its dissolution; the former viewed local protests as selfish pressure, the latter saw it as citizen participation; the former was universalistic, the latter particularistic. In short, to decentralize with meaningful local power is to adopt a structure that makes desegregation far more difficult. Whether reformers understood the contradictory implications of these two goals is not explained.

One is ultimately left to wonder what these various policy debates have to do with the quality of education. What effect, if any, does racial balance or citizen participation or community control have on the educational process? Peterson avoids speculating on the educational consequences of any particular policy, which is rather like a medical textbook concentrating on technique without explaining its impact on the patient's health.

Peterson does not give the substantive answers that educational policy makers are seeking, but he does provide a fresh and thoughtful way of looking at the problems. That is something to be grateful for, in a field where clear thinking is at a premium.

DIANE RAVITCH
Teachers College, Columbia University

Fair Share Housing Allocation *by David Listokin. New Brunswick, N. J., The Center for Urban Policy Research, 1976.—xviii, 253 pp. $10.00.*

The idea of using some type of housing allocation mechanism is being discussed by a wide range of professionals and scholars, from urban and regional planners to members of the judiciary, to social scientists concerned with equity and justice in American society. The widespread interest suggests a need for a concise compendium of housing allocation experience to date. David Listokin's book, *Fair Share Housing Allocation*, goes far to satisfy this need. The author presents, in reasonably concise form, a description of the state of the art in mechanisms for allocating low- and moderate-income housing throughout the various jurisdictions of a region.

The organization of the book is straightforward. The first chapter describes the origins of the notion of fair share allocation, the second describes the problems and techniques included in fair share efforts, the third examines the results of fair share efforts, and the final chapter discusses the future of fair share efforts. In addition, there are two appendixes presenting more technical information.

The discussion of the origins of fair share seems somewhat overdone. The argument that fair share was an outgrowth of regionalism and the modern reform aimed at

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opening up the suburbs is interesting, but the case law presented to show the role of the courts seems extended and somewhat tedious. Listokin's assertion that recent environmental concerns are also a powerful driving force behind fair share seems suspect since environmental issues are frequently raised in order to block the development of suburban housing for low- and moderate-income housing. Nonetheless, the opening chapter does establish the context within which the notion of fair share allocation should be examined.

The chapters on the techniques and results of fair share, the heart of the book, are much more readable than the opening discussion, and more useful to anyone considering such a strategy. The problems inherent in defining a region within which to allocate low- and moderate-income housing, of defining such housing, and of devising an allocation mechanism, are well described. For all but the techniques of allocation, description is fine. Techniques require more, and the reader is sent to the technical appendixes for supplementary material. This additional material is helpful but some evaluative discussion of the techniques seems necessary. For instance, what are the implications of the system which assigns four times as many points to a site that is within five miles of a central business district (CBD) than to a site more than fifteen miles from a CBD (p. 190)?

Returning to the text, the discussion of the results of fair share efforts is extremely interesting. It appears that fair share is perceived quite differently in different regions. In the Washington, D. C., area, fair share was viewed as a means of distributing federal largess (subsidized dwelling units), while in other areas it was seen as an attempt to force low- and moderate-income housing on suburban communities via control of purse strings on federal funds. It would be interesting to know more about the conditions under which these different responses occur. The explicit or implicit support of the federal government, through HUD, is also an important aspect of the fair share experience.

The final chapter on the future of fair share raises some interesting issues, such as the potential inconsistency between HUD's support and the requirements of Section 8 housing assistance (p. 157), as well as the basic question of whether fair share is socially good or bad. Listokin may have intended to write a descriptive rather than an evaluative book, but a reader tends to infer a basic pro-fair share posture which might be made explicit. To raise this issue, however, one would have to consider the question of whether there is a distinction between opening up housing opportunities, and forced dispersal of low- and moderate-income housing. Fair share may increase locational variety, but may not increase choice for those who are constrained to the subsidized housing market.

Listokin has done a competent job of describing the state of the art of a program still in its infancy. The book is clearly thought provoking (although the thoughts often focus on unanswered questions) and should be a useful addition to the library of anyone involved in the issues of suburbanization, housing opportunity, or regional government.

MICHAEL J. MUNSON
Princeton University

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Transportation Planning as Response to Controversy: The Boston Case *by Ralph Gakenheimer. Cambridge, Mass., The M.I.T. Press, 1976.—xi, 377 pp. $12.50.*

Every public official and civic activist in the Boston area should be aware by now that they have to watch their steps carefully because any action is likely to become material for another scholarly study by the researchers at the local centers of learning. This metropolis is becoming perhaps the most thoroughly documented community of all time. Fortunately, the politicians are quite active and not infrequently come up with new approaches so that the material available to scholars does not wear too thin.

Boston has been, unquestionably, the locus of some very significant work and pioneering efforts in transportation planning and its relationships to the political mechanisms. Thus, there is eminent justification for this case study by Ralph Gakenheimer, which is not the first and is not likely to be the last on this general topic. The process continues in Boston. Its central artery was started in 1949 as one of the first inner city limited access highways; it sliced through neighborhoods and held the record for some time as the most expensive segment of the interstate system on a per-mile basis. A reevaluation process has just started to see how it can be rebuilt.

Specifically, Gakenheimer's investigation looks only at the experience of the Boston Transportation Planning Review (BTPR) over the limited time span from 1971–1973. This was an effort to pull together a number of projects and to make a "final" decision on their desirability. But it was not just another professional study with community participation; it took a bold approach and established the so-called open study procedure with formalized and fully structured involvement by all interest groups, backed up by a neutral technical team.

The BTPR project was most important because it modified established attitudes, approaches, and methods. It may have been the most completely articulated such effort, but it was not isolated and alone. It fits into a nationwide evolutionary pattern, and this brings us to the specific contents and format of the present book.

It can be asked whether almost 400 pages are necessary to describe and analyze a planning effort that served primarily to stop unwanted projects by a special task force over a short two-year span in the eighth largest metropolitan area of the United States with rather unique characteristics. The reader will certainly be staggered by the details provided and slowed by the rather heavy writing style of the author.

The point is, however, that Gakenheimer has given an exhaustive review of almost all the dimensions that relate to transportation planning—from the utility of specific models to the attitudes of highway builders—but within the strict limits of his case. This is a thin but very deep slice through the transportation planning process.

The author does not only describe, but he also analyzes various aspects. His sectorial insights and incremental conclusions are very much worth reading, even though they are difficult to find within the text.

Gakenheimer has adopted a rather unconventional approach toward case studies. The participants are never criticized and only the best motives are imputed to them. No investigative reporting is attempted, and only fully documented evidence is used. The author's neutrality extends to not even hinting at what his own role was in the process. There are no linkages to other similar situations elsewhere, either con-

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temporary or earlier. There are no illustrations to show the physical configuration of things discussed. The book is organized by separate subjects so that much repetition becomes unavoidable. There are no real final conclusions as to whether the described process was successful and whether it is applicable to other places. The author is quite aware of all of this, indeed makes a point of it, but one does not necessarily have to agree with him on all of these items.

We have here a valuable contribution toward the understanding of the dynamic processes of contemporary cities. To get the full value of this experience, however, the reader himself must apply considerable effort.

SIGURD GRAVA
Columbia University

School Desegregation: Shadow and Substance *edited by Florence Hamlish Levinsohn and Benjamin Drake Wright. Chicago, University of Chicago Press, 1976.—216 pp. $3.95.*

School desegregation is one of those issues that prompts scholars to invite responses to questions like, "Is school desegregation still a good idea?" That is presumably the genesis of this collection of articles that first appeared as the May 1976 issue of *School Review*. The "replies" are much more critical, interesting, and sophisticated than the question deserves because the editors selected an outstanding group of social scientists and educators. The contributors include Charles V. Willie, Alvin Poussaint and Toye Brown Lewis, Robert Crain, Stanley Robin and James Bosco, John Finger, Lillian Rubin, Florence Levinsohn, Betty Showell, Ray Rist, Charles Bullock, George Meadows, Harry Gottlieb, and five public school teachers.

The pieces are quite varied in approach and subject and perhaps should have been organized into categories of some sort. The articles by Willie and Finger are a departure from most academic anthologies on school desegregation because they are practical guides to designing plans. The Finger article, however, is not as useful as might be expected. It is occasionally vague, and perhaps erroneous. Finger states that "Atlanta is one of the cities which has become resegregated. The procedures adopted were such that resegregation was inevitable" (p. 63). Yet, calculation of the index of dissimilarity for Atlanta shows a decline in segregation from 82.2 in 1971 to 74.8 in 1973 when they desegregated under a court-ordered majority to minority plan. By 1975, two years later, the index had not risen, but in fact had declined slightly to 74.2. Thus if Finger is talking about the 1973 plan, he appears to be wrong about its resegregating effects. Despite occasional problems such as this, it is a real pleasure to read about the practicalities of designing desegregation plans from one of the great "master planners" of school desegregation.

The articles by Bullock, Meadows, and Gottlieb dicuss fiscal and other incentives to voluntary integration, including residential integration. "Public choice" theory is always fascinating to read. We are, they tell us, rational individuals who can be induced into all manner of sweeping social change simply by appeals to our basic economic

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self-interest. The logic of the economic transaction described makes their arguments quite seductive, and it is only *after* reading these articles that one begins to ponder the question, "If it is all so simple, why hasn't it been done before?" The answer, which none of these authors discusses, lies in the nature of the political system, not the marketplace. In neither the federal nor state government is there sufficient consensus on behalf of integration, voluntary or otherwise, to provide for funding or policy coordination of the magnitude described by the authors. The marketplace, alas, operates within a recalcitrant, chaotic political system.

The rest of the anthology includes articles critiquing academic research and articles dealing with national policy or philosophical issues. The critiques of social science research are the most interesting. Robin and Bosco present a careful and lengthy analysis of the logical inconsistencies and biases in James Coleman's white flight analysis. Their criticisms are buttressed by Robert Crain's critique of the usefulness of academic research, citing in particular his own work, that of Nancy St. John, and James Coleman. Crain presents a sensible, logical explanation of why educational researchers persist in doing one-year experimental studies of the effects of school desegregation when it must be obvious that one year is not enough time to show a large effect. First, school boards and funding agencies want timely results. More importantly, the contract renewal system (three years) means that one-year studies are about all academicians can afford to do if they want something published by the time they come up for contract renewal or even tenure. Crain goes on to present a careful indictment of the academic reward system and the methodological conservatism of social science research.

Crain's indictment of social science research also indicts the underlying premise of this book. It is essentially an academic book that attempts to address a philosophical question, "Is school desegregation still a good idea?" While it does a good job of answering that question, it can be argued that that is the wrong question to ask. As Crain states "if segregation is immoral and desegregation is favored in order to eliminate immorality, science has nothing to say" (p. 43). Science should be telling us how to draw a desegregation plan, how to minimize public opposition, how to prepare a school staff for desegregation, and how to modify the curriculum to make desegregation succeed. By the same token, anthologies on school desegregation should begin to address these practical issues, rather than the more prestigious, academic questions.

CHRISTINE H. ROSSELL
Boston University

Disaster by Decree: The Supreme Court Decisions on Race and the Schools *by Lino A. Graglia. Ithaca, N. Y., Cornell University Press, 1976.—351 pp. $11.50.*

The most surprising thing about this book is that it was published by a reputable university press supposedly committed to promoting high-quality scholarship. If scholarship requires even a minimal attempt to fairly and dispassionately order facts and analyze events, this effort fails completely. The book constitutes an often angry, almost

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always irrational, polemic against the whole concept of school integration. By twisted logic, self-serving definitions, and unrestrained emotion and overstatement, Graglia develops a one-sided history of school integration designed to prove two major theses: (1) that the *Brown* decisions neither required nor should have required any remedy for school segregation, and (2) that use of racial guidelines to achieve integration amounted to constitutionally required racial discrimination.

The reader may wonder how anyone could humanly read *Brown* as not requiring integration. Graglia's answer is that it required desegregation, not integration. Desegregation, Graglia says, only means that assignment of students to segregated schools by race be ended. To put it mildly, this is pure fancy designed to support Graglia's biases. The author goes on to claim that the Department of Education actually put the idea of integration in the Court's mind (while subverting the Court's specific instructions against it), and eventually led the Court to accept integration rather than desegregation. Again, this only proves that Graglia lives in a factual world of his own construction.

The charge by those who oppose integration that the use of racial ratios to achieve integration is illegal is a familiar one. If you cannot identify students by race, you cannot integrate them. Nor can you systematically determine whether, and how much, progress is being made. Opponents of integration understand this quite clearly so naturally they rail against ratios. But logic dictates that blacks who had been discriminated against for 200 years deserved a meaningful remedy, and the Supreme Court prescribed a logical and powerful one—that segregation caused by illegal acts be overcome by racial integration. Graglia, however, loftily declares that "Prohibition of an evil without correction of its continuing effects may in this imperfect world be all the progress and justice achievable at one time" (p. 77). Fortunately, the world is not as imperfect as Graglia believes. Given the extent of housing segregation and the history of purposeful gerrymandering of public schools in our society, without a remedy school segregation would have lasted another 100 years. Graglia knows this, but he is not too fond of racial mixing of children in public schools regardless of the forces that bring them together.

Graglia's attitude toward black Americans becomes apparent as the book proceeds. First, Graglia cannot find a group of racist school officials fighting the Court and disobeying the law that he does not like. We are told one agonizing tale after another about basically decent folks trying hard to obey the law who were forced by a vengeful Court to meet arbitrary deadlines and illogical standards. Never once does Graglia admit that all the districts he discusses continued to willfully disobey the law for twelve to eighteen years after the *Brown* decision. Delays measured in years are not good enough for Graglia. Second, Graglia believes blacks to be generally inferior human beings who have the potential of doing great harm to better (read white) children. He talks about blacks as being from lower economic and cultural levels (p. 85), and charges that white achievement levels are lowered by integration. Graglia cites no empirical evidence to support this charge (indeed he cannot since empirical studies have consistently proved it wrong), but when he does attempt to document a charge against integration he is extremely selective in his data sources. The widely dis-

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credited Armor article in the *Public Interest* (Winter 1973) is cited, even gloried in, but Pettigrew's article in the same issue debunking Armor is ignored. Graglia does not even pretend to be fair-minded.

Errors of fact and conclusion abound. Graglia says the *Brown* decision was "quickly applied to all racial segregation" (p. 14). In fact, *Brown* only applied to *de jure* segregation until the Court destroyed the myth of *de facto* segregation some twenty years later. Graglia literally almost strangles on his anger over the failure of the 1964 Civil Rights Act to keep the Court from allowing the use of racial ratios. Few believe that the 1964 act was meant to restrain the Court, but even if it had it would not have legally limited the Court's decisions. As every sophomore knows, Supreme Court decisions are superior to statutory law.

This effort is wasted energy and emotion designed not to deal honestly with the real problems created by imperfect attempts to overcome racial segregation, but simply an attempt to fan the flames of discontent. Graglia's work will serve no higher purpose than to give heart to racist and demagogue politicians. Few scholars think the Supreme Court was the most desirable branch of government to lead the battle against racism and its legacy. But the elected leaders chose to ignore the problem for so long that the Court had to do something or dismiss the Equal Protection Clause as meaningless. Until this day the elected branches have not attempted to provide real remedies for the problems created by school segregation or attempts to overcome it. Most obvious is the continuing need for desegregation solutions in urban areas that are quite different from those that worked so well in several thousand small communities in the South. If criticism is due, it is the elected branches that deserve it for not trying to honestly solve continuing obstacles to good, integrated, and creative schools for all American children.

HARRELL R. RODGERS, JR.
University of Houston

The Transformation of Southern Politics: Social Change and Political Consequence Since 1945 *by Jack Bass and Walter De Vries. New York, Basic Books, 1976.—xi, 527 pp. $15.95.*

Largely because it promises so much more than it fulfills, *The Transformation of Southern Politics* is a disappointing book. Anticipation was aroused among scholars and journalists several years in advance of publication, both by word of mouth and prospectus, that the talents and efforts of an astute political reporter (Jack Bass) and an analytical political scientist (Walter De Vries) were being combined, with the help of a good university base (Duke) and foundation support (Ford and Rockefeller), to produce the definitive work on contemporary southern politics in direct succession to V. O. Key's classic treatise. When the book at last appeared, the dust jacket was plastered with extravagant quotations from an impressive list of prepublication commentators. Reviewers should not expect authors to live up to such promotional material, but

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in this case Bass and De Vries waived their immunity by writing a preface that indicates they read and believed their advance billing.

In fact, the book is a reasonably good one. Unfortunately those responsible for producing it have challenged us to evaluate it against virtually unattainable standards: a book (Key's *Southern Politics*) that, because of time and circumstances, as well as originality and a unique veneration among scholars, simply will not admit a successor-competitor, and definitiveness, which is out of reach because the South's new politics still lacks anything close to the old identifying characteristics, and the literature on special aspects of the region may be too diffuse and subtle to integrate in a single volume.

The book opens with three brief background chapters, emphasizing previously well-documented bases of social and political change in the South since World War II—demography, the second reconstruction, and increasing challenges to one-party politics. This orthodox introductory material is followed by eleven chapters covering the individual states of the old Confederacy. Considering the diversity of these states, these chapters are unusually formulaic. They are even in length (about thirty pages each), and follow an outline which varies only slightly from one state to the next. Opening with an anecdote or a descriptive statement emphasizing a characteristic feature of the state's politics, the authors proceed to cover recent electoral history and, with limited variation, provide brief overviews of the competitive positions of the parties and the participation of blacks, labor, and women in the state's political system. Each state chapter is supplemented (in the voluminous appendices) by a series of maps (except for Virginia) and graphs depicting the geographical base of factional or party votes and population distribution, proportions of voters participating in various elections, and comparative party votes in presidential and gubernatorial elections. The book closes with three brief summary chapters on the changing southern role in Congress (perhaps the most original chapter in the entire volume), organized labor in southern politics, and a justifiably tentative projection of the future of southern politics. The writing is smooth, the narrative flows, and interest is maintained by anecdotes (many of them familiar, in various versions, to those interested in the folklore of southern politics) gleaned from the "more than 360" interviews conducted by the authors.

Unlike the Key book, *The Transformation of Southern Politics* is thin in the presentation of the conceptual basis on which it rests, interstate comparisons, and theoretical generalizations. Key's point of departure was the assumption of a working national competitive two-party system, against which he measured the South's limitedly competitive one-party system. He analyzed and compared the South as a whole with the national system (and the states of the South with one another) in terms of the institutional, social, and ideological factors affecting competition and the outcomes of this competition in satisfying the programmatic needs of the publics governed by the various units. Although Key did not prove every hypothesis explicitly or implicitly expressed in the book, he and his associates did systematically explain the operations and results of the southern system in a way that could be comprehended by both scholars and interested citizens. By contrast, Bass and De Vries mainly re-cover ground with which we are familiar. They are too imitative of Key to be able to cope with problems

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that require different regulative ideas and methodologies, they do not make much use of the rich accumulation of studies of the individual states and topical matters of a comparative and policy-oriented nature, and they separate their analysis and commentary in a way that suggests an inability to synthesize the two apparently different aims of the book effectively. If one wants to obtain a sure theoretical grasp of political reality in the South today, it is still necessary to consult the monographic literature: Bartley and Graham, *Southern Politics and the Second Reconstruction* for overall voting trends; Seagull, *Southern Republicanism* for the party competitive score; Roland, *The Improbable Era* for the historical and social backdrop; and books such as Liebling, *The Earl of Louisiana* and other biographies and special studies for the institutional workings, nuances of regime, and mind-set within and among the states of the South.

WILLIAM C. HAVARD
Virginia Polytechnic Institute and State University

Southern Governors and Civil Rights: Racial Segregation as a Campaign Issue in the Second Reconstruction *by Earl Black. Cambridge, Mass., Harvard University Press, 1976.—xiv, 408 pp. $16.50.*

"Segregation now . . . segregation tomorrow . . . segregation forever" (p. 55)—to many observers such statements probably typified southern politics during the 1950s and 1960s. Yet this book documents considerable difference across states and through time in the rhetoric of southern gubernatorial campaigns. Earl Black relates the variation in candidate postures on racial and economic issues to demographic factors and outside events, particularly the *Brown* decision and the 1965 Voting Rights Act. He concludes that federal intervention has made a difference, at least in the campaign rhetoric of southern politicians.

The data for this study came from newspaper accounts of primary and general election campaigns in the South between 1950 and 1973. Over 250 candidates are classified according to their public stances on the issues of racial segregation (strong segregationist, moderate segregationist, or nonsegregationist) and economic development (marginalist, redistributive, adaptive, or progressive). Black analyzes the number and relative success of candidates in each category by state, subregion, and the entire South. He describes a variety of races offering different combinations of candidate types.

The author argues that segregation was largely a latent issue before the 1954 Supreme Court decision in *Brown* vs. *Board of Education*. The relative position of the races was settled, and many candidates felt no need to go beyond perfunctory acknowledgments of the virtues inherent in the status quo. However, after 1954 many candidates saw that there was considerable opportunity in loudly proclaiming their devotion to segregation and their defiance of the federal government. Using numerous quotations Black does a good job of depicting campaigns in which each candidate tried to present himself as the savior of "our way of life" and his opponent as the pawn of

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various sinister forces threatening the state. Even unsuccessful attempts to prevent integration, such as Faubus' use of the National Guard at Little Rock, seemed to guarantee political support.

Yet Black found that the success of strong segregationist candidates declined significantly after the implementation of the 1965 Voting Rights Act. He offers two primary explanations: the increase in black voters and the perception among the electorate that integration was a *fait accompli*. Thus the author concludes: "one important consequence of national intervention in southern race relations has been the cumulative abandonment of old-fashioned segregationist oratory by white politicians. My findings, like those of several other studies, argue against the unqualified proposition that "stateways cannot change folkways" (p. 342).

Black has amassed a great deal of evidence to support his case. Methodologists may feel that too little space has been devoted to a consideration of the potential difficulties in some of the analysis. Yet the general conclusion is intuitively plausible and quite consistent with the data presented.

The style is clear, although the long sequence of descriptions from different perspectives gets somewhat tedious. Black skillfully weaves into the narrative a number of quotations from the campaigns he is describing. Indeed, an additional value of this book is the feel it provides for the politics of segregation. Readers who have lived through a few of these campaigns will probably find that the account rings true and that it provides a useful framework in which to place their own experiences. There may be no end to books about the South, but this one makes a unique contribution and is well worth reading.

ROBERT S. MONTJOY
University of Virginia

Party Leadership in the States *by Robert J. Huckshorn. Amherst, University of Massachusetts Press, 1976.—xvi, 300 pp. $15.00.*

Party organizations in the United States are "highly variable, elusive to find, difficult to define, and frustrating to study" (p. 1). The accuracy of this observation makes Robert A. Huckshorn's study of American state parties even more valuable. For perhaps the first time ever, we have a systematic description of state party chairmen—their recruitment and tenure; the variety of their leadership roles; their orientations toward traditional and modern campaign techniques; their efforts to organize themselves and gain power within the national party organizations; and their responsibilities toward local party organizations and state and local officeholders.

Who are the state chairmen, how did they get there, and what do they do after their service as chairmen? Why are some "real" leaders, dispensing offices, patronage, and pork; while others are weak "agents" carrying out the orders of the governor? What are the differences in the roles of "in-party" and "out-party" chairmen? What contrasts can be observed between traditional "old politics" in state parties, and the "new politics" of professional public relations and campaign management? Can

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state party chairmen capitalize on their strategic position midway between the national and local party units?

To answer these questions, Huckshorn interviewed eighty incumbent state chairmen and women, and over a hundred other national, state, and local party leaders. These interviews not only produced an abundance of information on social backgrounds, careers, tenure, role orientations, activities, problems, and aspirations, of state chairmen; but they also produced valuable insights into the nature of American parties. Through selective quotes we hear the wisdom of the "old pols": "Some things in politics never change. Jobs for supporters and candidates for the ticket seem to be always with us" (p. 97). We also hear the new voices of the professional PR men: "Quite simply, I could not get along without polls. . . . We design our statewide campaign around them" (p. 129). We hear surprisingly candid assessments of political impotence: "I only do what I am told. If the governor wants something done, then I do it. If he doesn't want it done, I don't. It's as simple as that" (p. 69). But we also hear of independent power lodged in the hands of some chairmen: "He doesn't ask the governor what he should do. He tells him what he is going to do. He has hand-picked two governors and got them nominated and elected. They know how they got there" (p. 69). Huckshorn skillfully uses his data and insights to create distinctive role-types of state party chairmen.

Despite convincing evidence that state party organizations remain weak, ill defined, fluid, and lacking in "visibiity," Huckshorn asserts in his concluding chapter that "state parties are in a position to claim a major leadership role in the national party system" (p. 265). He recommends several reforms designed to accomplish this goal: full-time, paid chairmen with four-year terms; professional staff and technical advisors; greater acceptance of state chairmen into national leadership; and comprehensive revision of state laws governing party organizations. But Huckshorn's goal seems far away. As one of his own interviewees observed: "My headquarters is my kitchen. When I took over we were so far in debt that I closed the office, disconnected the phone, and fired the secretary. Right now I even type my own letters" (p. 227).

Party Leadership in the States is the best description of state party organizations written to date. It deserves to be read by all students of political parties and state politics.

THOMAS R. DYE
Florida State University

The United States, China, and Arms Control *by Ralph N. Clough, A. Doak Barnett, Morton H. Halperin, and Jerome H. Kahan. Washington, D. C., The Brookings Institution, 1975.—153 pp. Cloth, $8.95; paper, $3.95.*

The Pattern of Sino-American Crises: Political-Military Interactions in the 1950s *by Jan H. Kalicki. New York, Cambridge University Press, 1975.—xiv, 279 pp. $17.95.*

These two volumes on Sino-American relations, although quite different in approach and subject matter, serve to define authoritatively important aspects of the post-1949

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interactions between the two countries and of Chinese foreign policy in general. The Clough et al. volume is the summary of a Brookings study undertaken for the American government and therefore concentrates on policy recommendations rather than factual background, proof of assertion, or theoretical underpinning. The Kalicki book is an inductive-deductive attempt to apply some of the theoretical literature on international political crises to the developmental history of Sino-American relations of the 1950s and is therefore as much a contribution to internation theory as to understanding dyadic interactions during a limited time period.

Clough and his collaborators have produced the best statement to date of the reasons for and the content of Chinese strategic policy. The work is thus much more than policy advice to American officials. Moreover, it is very carefully written so that the sometimes deceptively simple style is in fact full of subtle meaning. The work can also be used as a handbook to refer to various aspects of Chinese nuclear policy and of American military policy toward Peking in the context of Soviet-American strategic relations. Given the Chinese reluctance to compromise its own fledgling nuclear weapons program, as well as other factors, the authors are not hopeful of quick and comprehensive arms control agreements with Peking.

Nonetheless, they conclude that it is time to begin an arms control dialogue with China, even with low probability of initial success. They thus advance a number of proposals, termed "arms control packages," including the following: a series of technical measures (relying on hardened missiles rather than bombers within range of Chinese missiles, telling the Chinese about American command and control procedures, using a hot line, discussing how to prevent accidental missile launchings, and reaching an accord on prevention of nuclear war); tension-reducing measures (foregoing emplacement of a Chinese-oriented ABM system, explaining to Peking the American concept of deterrence, avoiding overflight in times of crisis, and a no-first-use pledge); regional stability measures (agreeing to reduce troop levels, bases in, and military assistance to Southeast Asia, Taiwan, and Korea, with a commitment to make these areas nuclear-free zones); and inclusion of China in existing arms control arrangements through bilateral official talks or in informal forums. In general, the writers stress the desirability of beginning some kind of dialogue with the Chinese, making a carefully delineated no-first-use pledge, and cooperating with the Chinese—tacitly or by direct agreement—to reduce tensions in Korea.

Significantly, there is little discussion of arms control prospects with regard to Taiwan, since Clough and his associates are pessimistic as to Peking's intentions and, indeed, as to Washington's interest in the ultimate defense of Taiwan. One wishes the authors would have discussed at greater length their understanding of nuclear weapons in Chinese policy and of the implications for China of American doctrines of deterrence and arms control. It would also have been advantageous to have included full references to the research literature in both the nuclear deterrence and the Chinese strategic policy fields.

Kalicki's book examines, in greater detail, the four military confrontations between America and China during the 1950s—Korea, Indochina, and the two Taiwan Straits crises—and attempts to generalize to a series of "lessons learned" by decision

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makers in the two capitals. His work is not merely an exercise in history and a set of conclusions derived directly therefrom, however, but an attempt to apply, and therefore to test, recent theories of international relations crises. Thus, according to Kalicki, having noted with dismay during the Korean war what mutually noncooperative behavior leads to, Chinese and American leaders consciously attempted to structure the course of subsequent crises to avoid escalation to large-scale war. This did not prevent the two sides from continuing to pursue their respective goals, which remained contradictory, but it did prevent war, especially in 1958. Thus, avers Kalicki, a Sino-American "crisis system" was established, complete with a recognizable life cycle, self-regulation, a learning curve, and enhanced policy sophistication. This system, complete with the orchestration of physical and verbal actions, became a successful example of nuclear deterrence at work.

With the exception of the first and last chapters, where this theoretical framework is presented, the book consists of a detailed historical recounting of the four crises. The question then arises as to whether there is, or need be, a close connection between Kalicki's description and his analysis. More critically, does the author not reject the historical approach too quickly, given that what he has really done (and done well) is to relate history? Finally, just because Sino-American relations seem to have "stabilized" in the late 1950s, does that necessarily indicate "learning" and "systematization"? More likely, does it not mean that the Chinese leadership decided that the time was not propitious to pursue its goals directly vis-à-vis Taiwan and therefore that a temporary relaxation was in order? Is not a ten-year period too short to decide whether "learning" had occurred? It is not clear from Kalicki's analysis that by 1960 "something fundamental" had been achieved in Sino-American relations. That conclusion itself is belied by the generally bad state of Sino-American relations during the ensuing decade and by the very fact that it was only fear of the Soviet Union and the victorious end of the Vietnam war that enabled Peking to repair its relations with Washington.

Kalicki is probably correct in asserting that the sort of "learning" he describes had to occur before the two states could think of attempting to settle some of their differences in 1972 and after. But that process was the product of many forces operating at quite different systemic levels, hardly the resultant of the process of nuclear deterrence alone. And when that constellation of forces changes, particularly as pertains to variation in Sino-Soviet relations after Mao, Sino-American relations will be transformed once again. Having said that, Kalicki does lead the reader to understand major elements of the course of Sino-American relations during the 1950s.

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The Origins of the Marshall Plan by John Gimbel. Stanford, Calif., Stanford University Press, 1976.—xiv, 344 pp. $15.00.

John Gimbel has written a most curious new book. It is largely a study of Germany, not of the Marshall Plan as its misleading title portends. The author suggests that the policy makers of the 1940s really launched the Marshall Plan not because they were concerned about the containment of communism, a decline in the export trade, and depression at home, or the establishment of an "open door," multilateral world, but because of the problem of a disjointed Germany. If one accepts the Gimbel thesis, then, one must discount what the diplomats said they were doing and why they were doing it. That is an analytical leap most historians are not willing to make.

Gimbel does not present a convincing case for his ambitious theme, even though the book is strikingly pretentious in the face of complex and contrary evidence. Although he pays homage to complexity and uncertainty with an occasional "apparently," his language is distinguished by phrases which dismiss other opinions as dead wrong: "In short, the origins of the Marshall Plan has been explained [by scholars] by extrapolation, rather than by interpretation of documents, sources, and contemporary evidence" (p. 273). That declaration will come as a surprise to many scholars who have carefully mined archives and studied the Marshall Plan in depth.

Gimbel's main thesis is that "the Marshall Plan originated as a crash program to dovetail German economic recovery with a general European recovery program in order to make German economic recovery politically acceptable in Europe and in the United States" (p. 4). In short, the Marshall Plan was devised to solve the "German problem"—the absence of economic unity among the four zones. No scholar denies that Germany was a serious problem for postwar diplomats or that its coal and steel were important in fueling European recovery. What Gimbel fails to demonstrate is his claim that the Marshall Plan itself sprang from controversies over the levels of industry, export-import plans, and reparations. What he has shown instead —and it is not novel—is that the general awareness of the European reconstruction problem (in Italy, France, Greece, Germany, and elsewhere) necessitated changes in Germany (such as the merger of zones, self-government, and higher levels of industry).

One should read this book, then, for the well-researched discussions of topics in and over Germany, such as French obstruction; sharp differences between the War and State Departments; Western "hidden reparations" (coal); the abandonment of socialism in the British zone; and American pressure on Europeans to accept United States plans for recovery. Although his research in American military and diplomatic records is prodigious, Gimbel did not use the incomparably rich British sources (open through 1945) in the Public Record Office, London—a curious shortcoming given his considerable treatment of British policy in Germany.

Several of Gimbel's generalizations clash with prevalent scholarly views. For example: "The State Department's policies in Europe were in fact marked by a French priority; an almost single-minded determination to restore and accommodate France" (p. 34). That statement would surely surprise diplomats of the time and will spark historiographical controversy. In his conclusion, using a quotation from Calvin

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Hoover, Gimbel writes that the United States did not need to export surplus production and hence that government officials often spoke "without regard for what was true and accurate" when they propagandized the Marshall Plan (p. 273). Yet nowhere does Gimbel provide evidence for the "accuracy" and "truth" of Hoover's statement. Indeed, he bucks an overwhelming body of historical evidence to the contrary.

Gimbel argues vigorously that France was the chief obstructionist in Germany and the chief diplomatic thorn for the United States. He demonstrates persuasively that France jettisoned the Potsdam Conference accords requiring economic unity and centralization. But Gimbel treats the American discontent with France virtually in a vacuum, as if the American officials were not also disturbed by Russian behavior at the same time. Two examples demonstrate the problem. General Lucius Clay, writes Gimbel, "revealed once again [at a joint meeting of May 3, 1946] his conviction that the French resistance to central agencies was fundamental to the impasse and to his reparations suspension" (p. 98). A rereading of the transcript of that meeting (in John Backer, *Priming the German Economy*) does not reveal that France was "fundamental" to either the impasse or the reparations cutoff of early May. Both Russia and France are mentioned as disrupters. A few pages later Gimbel discusses at some length Clay's cable of May 26, 1946, in which the general summarized for Washington his troubles in Germany. Again, a rereading of that long document (in Clay's *Decision in Germany*) does not establish that France was viewed as the "fundamental" problem. Both Russia and France are mentioned throughout as co-troublemakers. And even if one granted that Clay suspended reparations from the American zone because he was angry with the French, it is evident, and Gimbel concedes the point, that officials in Washington read and accepted the suspension as an anti-Soviet act. Gimbel's use of evidence here does not support his overstated generalization.

Gimbel concentrates on debates over tactics, recounting the numerous heated squabbles among American governmental agencies. But in the great scheme of things it is not clear how important these tactical debates were. Despite them, American policy followed a steady course toward the rehabilitation of Germany. It did not matter to France or Russia if the American bureaucracies were boiling over, because these two protagonists faced the end product—the revival of a Germany they so feared and so ardently fought. Gimbel's emphasis on tactical questions and bureaucratic tangles, rather than on broad strategies and assumptions is evident also in the virtual absence in his book of President Harry S. Truman as a policy maker and overseer of American diplomacy.

Given the author's stated objectives and theses, *The Origins of the Marshall Plan* is flawed and disappointing.

THOMAS G. PATERSON
University of Connecticut

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The Imperial Years: The United States Since 1939 *by Alonzo L. Hamby. New York, Weybright and Talley, 1976.—xi, 429 pp. $14.95.*

Written from an unabashedly liberal perspective, *The Imperial Years* is a chronicle neither of the "imperial presidency" nor of an "imperialistic" foreign policy—in both senses, this book's title is not suitable. Professor Hamby emphasizes not the aggrandizement of presidential powers but the limits to presidential power and influence; he does not, for example, discuss the history of executive privilege claims or even the War Powers Act of 1973 and the debate leading to its passage. At the same time, the phrase "active internationalism" more accurately describes Hamby's interpretation of American foreign policy. While concluding that "the American empire, for all its sins, had been among the most benign in human history" (p. 390), he attributes American foreign involvement since 1939 not to economic interest or expansionism but to liberal principles and international realities. Faulting American diplomats at worse for certain mistaken judgments, Hamby stresses the limits within which they conducted foreign policy owing to international exigencies and the moral "perfectionism" and "isolationism" of the American political culture.

Because it is intended either as a text for recent United States survey courses or for a nonacademic audience, *The Imperial Years* is a cursory survey of post-1939 American society. Specialists might find many of Hamby's conclusions simplistic if not facile and his discussion of important issues deficient. These faults are inevitable in an admittedly derivative survey which (with certain exceptions) adequately covers the major cultural, economic, political, and international developments of the post-1939 years and is based on extensive reading of recent scholarship. The exceptions, however, are not necessarily minor; they constitute, in this reviewer's opinion, major flaws in an otherwise thoughtful book.

Indifferent to the major institutional changes of the post-1939 period—the emergence of the bureaucratized presidency and of a vast, quasi-independent internal security bureaucracy—Hamby ignores or slights important developments. Thus, there is no mention in this study of the abuses of power and further of the insubordination of internal security bureaucrats (in particular, the FBI, CIA, NSC, and NSA) dating from 1936. Moreover, Hamby offers contradictory appraisals of the Truman and Eisenhower presidencies where he attributes Truman's inability to secure enactment of his Fair Deal programs to limitations imposed by the American political system and then claims that Eisenhower never suffered political embarrassment because of his immense personal popularity. It is not simply that Hamby begs the question—Why indeed was Eisenhower popular and what factors determine presidential influence and popularity? More important, he fails to assess one of the striking paradoxes involving these two presidencies: the effectiveness of a conservative critique of Truman's relatively few (about five) executive privilege claims and secretive conduct of foreign policy and the absence of such a critique of Eisenhower's far more numerous executive privilege claims (forty-five) and far more secretive and unilateral foreign policy. Nor does Hamby analyze the further irony wherein conservatives accused Truman of usurping congressional preroga-

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tives when, in 1950, he assigned four United States divisions to Western Europe and yet willingly abdicated congressional prerogatives in 1949 when amending the National Security Act of 1947 to exempt the CIA from accounting fully for its expenditures.

These deficiencies cannot be explained by the fact that *The Imperial Years* is a derivative work and most studies of post-1939 American society have not emphasized these developments. Hamby simply does not consider them important. The result is a flawed partisan work, the more so because it is intended as a response to New Left interpretations and an affirmation of American liberalism.

ATHAN THEOHARIS
Marquette University

The Eccentric Tradition: American Diplomacy in the Far East *by Robert A. Hart. New York, Charles Scribner's Sons, 1976.—277 pp. Cloth, $10.95; paper, $4.95.*

Robert A. Hart knows how to write. Eleven years ago he published *The Great White Fleet*, a sprightly account of the U. S. Navy's 1907–1909 circumnavigation of the globe which demonstrated his flair with words, sense of humor, and love of a good story. These same qualities are evident in this work, a collection of essays on American-East Asian relations from the 1784 visit of the *Empress of China* to Canton to the 1974 Ford visit to Japan.

Unfortunately, however, these pieces are already out of date. Hart's theme echoes the thoughts of Whitney Griswold's *The Far Eastern Policy of the United States*, a work published nearly forty years ago. Proceeding chronologically, administration by administration from McKinley to Ford, his essays trace the undulations of American feelings toward East Asia. In Hart's view, waves of public passion alternating with isolationistic slumps of disregard seriously hampered American diplomats' efforts to manage relations with a complex, ever-changing region. "Impulse, excess [and] oversimplification" (p. 6) contributed to the shaping of an "eccentric tradition" which ended in the tragedy of Vietnam.

Views of this sort recur in an account which is adequate in its presentation of facts yet weak in substantive analysis. Hart blurs his thesis, at times implying that public moods constrained policy makers, at times suggesting that the United States had no demonstrable national interest across the Pacific. While offering a wealth of detail on specific incidents, Hart never faces up to the central problem his thesis poses. The link between popular mood and public policy is never clearly demonstrated.

The book is curiously uneven in two other respects. On the one hand, Hart sometimes lets words run away with or distort the truth. He describes Yalta, for example, as "a hard-bargaining confrontation of adversaries, with Stalin on one side and Roosevelt and Churchill on the other"; and he concludes that "Concessions were traded, among them a Far Eastern settlement" (p. 157). This statement ignores Diane Clemens' analysis of Yalta diplomacy and misleadingly suggests that Churchill took

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part in the Yalta talks on East Asia, which he did not. On the other hand, Hart is distressingly selective in his use of recent scholarship. His bibliography omits major historiographical contributions, such as the May-Thomson volume on American-East Asian relations published in 1972 and the more recent Borg-Okamoto analysis of pre-Pearl Harbor diplomacy. Missing, too, are Braisted on the Washington Naval Conference and Hoopes on John Foster Dulles. Most importantly, Hart simply brushes aside the controversial yet stimulating ideas advanced by New Left historians over the last decade. This further detracts from what is already an unnecessarily bland and questionable interpretation of the history of American-East Asian relations.

One comes away wondering for whom this book is written. Historians and political scientists will profit little from it. The former will miss fresh insight and new detail; the latter will cavil at Hart's lack of methodological rigor. Only reluctantly could it be recommended to students. While it does make useful generalizations about American policies and policy makers, it does not provide the sophistication of Iriye's *Across the Pacific* or the politico-diplomatic detail of Cohen's and Neu's separate studies on Sino-American and United States-Japan relations. Moreover, the text abounds in place names which do not appear on any of the book's four maps. Would the "educated general reader" profit from this book? Perhaps, but he would learn far more about the history of American-East Asian relations and indeed about the attitudes behind that history from the more limited but insightful writings of Barbara Tuchman, F. R. Dulles, or David Halberstam.

ROGER DINGMAN
University of Southern California

Roosevelt and Churchill, 1939–1941: The Partnership that Saved the West *by Joseph P. Lash. New York, W. W. Norton & Company, 1976.—528 pp. $12.95.*

Having published a very successful two-volume account of the life of Eleanor Roosevelt, Joseph P. Lash now has chosen to write about "the partnership that saved the West," of Churchill and Roosevelt during the years of American neutrality, 1939–1941. The theme is well chosen, for relations between those two political giants of the recent past are not merely of continuing human interest but of large historical importance. The human side of the equation appears here in shrewd judgments by the author. As a member of Mrs. Roosevelt's circle he knew the president fairly well. Lash met Churchill only once, at a White House luncheon on New Year's Day 1942. His account of the impinging of the one great personality upon the other in 1939–1941 is nicely written and carefully argued. The personal sides of the two "prima donnas," as Lash at one point describes the two leaders, are notably well discussed in a chapter entitled "The Two Men Compared" (pp. 179–195). As for the historical importance of the friendship of two great men during a crucial era of World War II, Lash considers it with equal competence. He has read the major and many of the minor memoirs. He is one of the first scholars to master the intricacies of the Roosevelt–

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Churchill correspondence recently opened, and also has used the newly released British foreign office material. He notes the occasional sparring between the two men, and the extreme care with which Churchill approached his powerful but touchy opposite in Washington. It is helpful to see how the assistants, American and British, viewed the maneuvers of their chiefs, and Lash masterfully reproduces their opinions. Sometimes the assistants are fretful, sometimes proud, always conscious that they are taking part in the unfolding of history.

There is much to praise in this volume, a book which undoubtedly will be widely read. The author has made a remarkable personal progress, from a youth leader of a generation and more ago, to a mature scholarship such as will make many academic scholars envious. Lash is a first-rate writer and researcher.

Two faults may make the book fall short of the eminence it might have held in the literature of World War II. For a reader of the 1970s there is too much reverence for the president and the prime minister. Time after time the decisions come up to the principals, and they, so Lash says, know so much more than do other people, the underlings or assistants. Every now and then the principals make mistakes, but for the most part their wisdom shines too brightly through the pages. A second fault of this inspired writer-historian is his penchant to quote: the book often becomes a pastiche of quotation. How much better if Lash had cut the length of this huge book maybe by half, by putting the minor points as well as the major ones in his own words.

ROBERT H. FERRELL
Indiana University

The Economic Superpowers and the Environment: The United States, the Soviet Union, and Japan *by Donald R. Kelley, Kenneth R. Stunkel, and Richard R. Wescott. San Francisco, W. H. Freeman and Company, 1976.—ix, 335 pp. Cloth, $11.95; paper, $5.95.*

The field of comparative environmental administration has largely been ignored, with exceptions such as Lester Milbrath and his associates, and ecologists concerned with the environmental consequences of economic development in the Third World. An ambitious effort to fill this void is now offered by Professors Kelley, Stunkel, and Wescott. It fulfills the authors' goal of presenting an historical, quasi-comparative treatment of the United States, the Soviet Union, and Japan as they have coped with environmental protection during the twentieth century. This is done by providing a useful (if not stomach-turning) gallery of eco-horrors perpetrated under the superpowers' diverse governmental systems. More importantly, the authors have produced a sophisticated analysis of the role of environmental interest groups, communication media, scientists, courts, and bureaucracy, as elements of national drives to increase the GNP at the expense of environmental quality and natural resource depletion.

This introductory survey is based on the extant literature, and is sometimes overly dependent upon particular sources such as *The New York Times* for information on United States pollution problems, and Marshall Goldman's admirable studies on Soviet

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pollution management. The book does, however, provide an extensive bibliography for those who wish to continue their readings in environmental policy.

The writers refrain from drawing comparisons until the final chapter, and leave such comparisons for the reader to make. For example, it was interesting to learn that United States and Japanese courts can force polluters to pay damages to pollution victims (individual and municipal), and that Soviet courts are far less independent, and lack such authority (p. 172).

Organizationally, the text hops from one country to another for detailed descriptions of pollution problems (air, water, noise, radiological): first the United States, then the Soviet Union, and finally, Japan. Just as the reader would become interested in following a particular country's pollution problem and its political response to it, the book switched to the next country's pollution problem within the same category, and the reader was forced to wait until much later to learn how the problem was eventually handled. However, the three case studies (Lake Erie, Lake Baikal, and Minimata/Mishima-Numazu) were particularly useful because they pursued their stories without such interruption. Thus, three free-standing national profiles would have been easier for readers to follow, and would have probably provided a better basis for the last chapter's conclusions.

The last chapter is somewhat disconnected in its presentation of conclusions; that is, the lines of reasoning for the conclusions are not always apparent from the earlier sections of the book. For example, it was not clear how the authors decided that open democratic political systems such as the United States have difficulty instituting "centralized governmental social and economic planning and administration [which] will be necessary . . . " (p. 270) to resolve environmental problems. Other open democratic societies such as the Scandinavian nations handle pollution control quite differently from the United States, and thus generalizations about how democratic nations respond to environmental problems should look beyond a single case. At this point such generalizations would seem premature, and should certainly take into account population size, homogeneity, abundance of natural resources, as well as standards of living.

It is also not clear why the authors think that centralized environmental management is necessary, and why they lump together centralized and regional planning when describing "the kind of centralized or regional planning that may be necessary in the allocation of limited resources (Kneese and Schultze, 1975:45)" (p. 270). One might think from the reference to Kneese and Schultze that they support both centralized and regional planning, when actually they are eloquent spokesmen for regional environmental management. In fact, the regional approach to environmental management has become a *cause célèbre* within American environmental policy circles, particularly with regard to the implementation of uniform national air and water quality standards.

The authors' portraits of the individualistic roots of American society, contrasted with the group-oriented cultures of the Soviet Union and Japan are accurate and perceptive. They have drawn striking conclusions about how these very different political-economic systems all find it difficult to modify the direction of their national quests for ever-increasing their GNP's (p. 286): "All three economies are character-

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ized by an environmental insensitivity of their economic accounting and success-measuring systems" (p. 288). Their somber assessment of the economic and political commitments necessary to rectify and redirect the three industrial infrastructures is an excellent basis for students to learn about the subtleties of public policy, the origins and interrelatedness of pollution problems, natural resource dependencies, and the complexities of pollution abatement strategies.

LAURA M. LAKE
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Taming the Giant Corporation *by Ralph Nader, Mark Green, and Joel Seligman. New York, W. W. Norton & Co., 1976.—312 pp. $10.50.*

Taming the Giant Corporation, one of the best products of the Nader research factory, is a closely reasoned, heavily documented advocacy brief for an old proposal, federal chartering of corporations which employ at least 10,000 persons or sell an annual minimum of $250 million in goods and services. As a notion federal chartering goes all the way back to the founding fathers. In this century so conservative a president as Robert A. Taft and so liberal a senator as Joseph O'Mahoney both advocated the approach.

Nader's current version is both sophisticated and detailed. It is a response to the perceived irresponsibility of the large corporation even to the interests of its stockholders, let alone the public interest. Accordingly Nader attempts to protect the rights of employees, shareholders, taxpayers, consumers, and the communities in which corporations operate. In the post-Nader legal environment of federal incorporation large companies will be compelled to reveal such closely guarded information as profits per product line. Boards of directors will be transformed into public guardians, stockholders will be informed in advance of major corporate plans, and employees will be protected in their rights to privacy and free speech—including revelation of the illegal acts of their associates and superiors. Complementing these major innovations in corporate conduct is significant amendment of the antitrust statutes so as to simplify Department of Justice suits against conglomerate corporations, the major form of merger in the last fifteen years.

Is this proposal politically feasible? Nader's affirmative answer relies on a good deal of public opinion research evidence of corporate unpopularity. Thus according to Louis Harris in 1974 only 18 percent of his sample has "great" confidence in big business. In 1975, 49 percent of Peter Hart's respondents agreed that "big business is the source of most of what's wrong in this country today." And in 1973 a solid majority—53 percent, according to Opinion Research Corporation, agreed that the largest corporations should be broken up. The success of the corporations in staving off divestiture legislation like the late Senator Philip Hart's industrial reorganization bill and the durable political influence of American business may cast some doubt on Nader's euphoria.

Suppose, for the moment, that Nader is right and in Year 2 or 3 of the Nader-Carter

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era Congress enacts federal incorporation. Will it make any difference? Why won't our business goliaths capture the new regulators as completely as they have tamed the old ones? Nader's response is intriguing. He greatly enlarges the standing of consumers, stockholders, employees, and members of the public to appeal to the federal courts for remedy. Indeed the courts appear to substitute for regulatory agencies in large measure in the new order. Again one may wonder. The conservative gentlemen and women who sit on the federal bench are more likely to sabotage than to enhance the rights which Nader seeks to confer upon people affected by the actions of federally incorporated companies.

Thus, at the end, the inevitable question remains: Can any statute or set of new rights greatly affect power relationships so long as American politics fluctuate between national administrations minimally to the right of dead center and minimally to the left of that uninteresting position?

ROBERT LEKACHMAN
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Protecting Consumer Interests: Private Initiative and Public Response *edited by Robert N. Katz. Cambridge, Mass., Ballinger Publishing Co., 1976.—xxiii, 277 pp. $16.50.*

This is a collection of papers presented at a 1974 symposium sponsored by the National Affiliation of Concerned Business Students. This type of book succeeds if it provides an overview of basic issues, if it offers a variety of viewpoints, if it is literate, and if a few of the chapters offer insights even to the informed reader. Success in this genre is necessarily limited by the obligation to print some pieces better excluded, by a lack of analytical cohesiveness and by the tendency for some of the material to date rather quickly. Within these understandable limits, *Protecting Consumer Interests* is a success. It contains seventeen papers divided among five themes: (1) who in the private sector represents the consumer; (2) how effective is the media in informing the consumer; (3) how effective is governmental regulation and industry self-regulation; (4) how well does the law protect consumers; and (5) illustrative case studies of consumer interests in the insurance and pharmaceutical industries.

The paper by Vogel and Nadel may be the best. It identifies conflicts of interest within the consumer movement and makes the important and underappreciated point that consumer interests are often best served by conflicts between different industries (such as that between sugar producers and industrial users of sugar in 1974) where the users had a shared interest with retail consumers in opposing import quotas. Exceptional too is the article by Pollock ("Who says the press is free if it won't even tell you which supermarkets are selling bad meat?") which makes several important and deserved criticisms of the press as a public servant. Informative and competent as well are Krattenmaker on the Federal Trade Commission, Rosenberg on the ways industries define and certify voluntary product standards, Barton on the variety of private legal remedies for consumers and the fact of their relatively disappointing impact, and Cady with a tour d'horizon of public policy and the pharmaceutical industry.

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The most provocative essay is by Katz himself. One of the few areas of widespread consensus today is that consumer interests are likely to be better served by open and competitive markets for goods and services, with vigorously enforced antitrust laws and clear limits on regulatory agencies and industry self-regulation which restrict competition and innovation. Katz challenges this consensus with a call for greater industry self-regulation relatively free from application of the antitrust laws. The models he proposes for consumer-oriented and well-run industries are the transportation and securities industries (p. 163). Many experts consider transportation as perhaps the single service sector in greatest need of consumer reform. Furthermore, the flagrant abuse of the consumer by a number of issuers, underwriters, and brokerage firms during the "go-go" 1960s (with securities exchanges unwilling to clean house), is now well documented. That industry has been brought kicking and screaming to the recent innovation of competitive brokerage rates and services, not by its private leaders but by the Securities and Exchange Commission and the Antitrust Division. Yet another unpromising example of industry self-regulation is the legal profession. Compare Katz's optimism about self-policing with the characterization of the bar's consumer disinterest in the article by Kass (pp. 179–180) later in the book.

Equally unimpressive is the Mayer and Nicosia piece on consumer information. It illustrates that what is so often wrong with empirical social science is not its commitment to researching brute facts, but the triviality of the concepts underlying that research and the tedium with which those concepts are presented. They purport to offer information relevant to tackling perhaps the most difficult and important issue of the consumer movement. The issue takes as a given that consumers will be the best advocates for their own interests through the purchases they make and the ones they do not make in competitive markets in which suppliers must be responsive to consumer demand. Given this assumption, what kinds of especially relevant information should consumers be provided which they now lack and how do we get that information to them in a useful form so that it is not lost in the noise pollution of less relevant information that daily assaults us? The article disappoints.

While there are skeptics who doubt the potentialities of consumerism—either from a conservative, guild-oriented, or radical class-oriented perspective—most of the contributors to this volume are not among them. They seem to believe in the free enterprise system of private and competitive markets as one offering the greatest potential benefits to the greatest variety of consumers. But to make that system work better we will need better informed consumers able and willing to take more time and trouble to learn how to protect the needs and interests of their families. We will also need intermediaries in industry, in the press, in the consumer movement, and in government to educate and inform us as well as speak for us.

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* The opinions expressed in this review are those of the reviewer and do not necessarily reflect the views of the Department of Justice.

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Reforming Public Welfare: A Critique of the Negative Income Tax Experiment *by Peter H. Rossi and Katharine C. Lyall. New York, Russell Sage Foundation, 1976.—x, 197 pp. $10.00.*

Reforming Public Welfare is an analysis and critique of the well-known New Jersey negative income tax (NIT) study. The NIT study was a landmark event in the history of policy-relevant research. It applied, for the first time on a large scale, an experimental design to investigate issues related to an important social policy problem. This path-breaking study was funded by the Office of Economic Opportunity (OEO) and undertaken by two research organizations associated with prestigious universities.

The proposal for a negative income tax had been put forth as a major reform of the public assistance program. The NIT study focused on a particular aspect—the relationship between a variety of negative income tax plans and their impact on promoting or discouraging employment of recipients—in order to explore two of the major objections that were being raised against the program. It was assumed that the labor supply response of recipients could aid policy makers in estimating the costs of a national program and its impact on the low-wage labor market. The NIT study's major conclusion was that the male heads of households in the sample remained committed to the labor market, regardless of the negative income tax plan in which they participated.

Rossi and Lyall, despite their appreciation of many of the methodological aspects, severely criticize the NIT study for the limited applicability of its findings. They believe that a very small payoff was received, from the perspective of aiding policy makers, in light of the large financial expenditures and the utilization of considerable academic talent that went into the project. Their criticism is twofold: that the experiment failed, in its own terms, in realizing its objectives and that its scope was too narrow.

The authors first argue that errors in the design and execution of the study limit the generality of the findings. This critique appears to be well founded. Rossi and Lyall criticize such aspects of the study as the decision to focus solely on the labor response of male-headed intact families, to disregard initially the factor of ethnicity which tainted the conclusions concerning ethnic differences, and to take their sample from a small number of urban sites rather than using a national probability sample. As a result, the study failed to achieve its objectives of providing an estimate of the costs of a negative income tax program and predicting the full impact on the labor market of the program.

Of perhaps greater interest is their second criticism concerning the project's narrow scope. The authors attack the NIT study for not focusing on aspects of the negative income tax program which were far more important to the policy makers. In Chapter 7, they discuss a number of these significant issues—its impact on family dissolution, the effect of limiting the discretionary role of welfare administrators, and, more broadly, its impact in aiding the poor to cope with the pathology and vicissitudes that mark their lives. Elsewhere, they note that when Congress considered the negative income tax program, the labor supply question was dwarfed in importance by other issues. They criticize the NIT study for selecting their central focus on the

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basis of methodological concerns rather than on political import: "the experiments established their experimental objective with an eye to testing a piece of established microtheory rather than with a close eye to the hot political questions" (p. 176).

The issue implicitly posed is the role of policy studies in the policy formation process. Rossi and Lyall believe that such studies can be significant; it is the seeming "irrelevance" of the NIT study that is a source of concern. Yet they never set forth an analysis of the policy-making process to support their assertion. They believe that behavioral research "can contribute to active policy issues" (p. 191), but fail to substantiate their position.

While the authors are fully aware that all policy studies are undertaken within a political context and, indeed, devote a chapter to discussing the politics of the study (chap. 8), they fail to focus on perhaps the most important participant—OEO, which was the sponsor of the NIT study and, presumably, had more input into determining its agenda than any other source. They do not analyze the relationship between OEO and the organizations that carried out the study. OEO, which supported the negative income tax proposal, apparently perceived the NIT study as necessary to allay conservative concern with the impact of a guaranteed income on federal expenditures and the low-wage labor market. To criticize the NIT study for its limited applicability to the broader concerns of policy makers is to misunderstand its role in the policy-making process. Such studies are initiated by participants in the conflict and are intended to serve their strategic purposes; the contributions they make in terms of illuminating the policy issues are accidental by-products.

As a result, the book is somewhat of a disappointment. The authors' critique of the NIT study, in terms of its limited objectives, is excellent. It is certainly essential reading for those interested in the utilization of experimental field research techniques for policy-relevant research. It also carefully documents the many important questions concerning the poor and welfare which the NIT study ignored or treated inadequately. But the authors did not address the underlying question which concerned them and substantially motivated the volume: Why did this landmark policy study adopt such a narrow focus and thus provide such little insight into this major policy problem?

STEPHEN DAVID
Fordham University

Community and Polity: The Organizational Dynamics of American Jewry *by Daniel J. Elazar. Philadelphia, The Jewish Publication Society of America, 1976.—xv, 421 pp. $12.00.*

Daniel Elazar's main thesis is that the American constitutional system encourages volunteerism, localism, associationalism, and pluralism, and the Jews of the United States have taken to the political environment as ducks to water. The author tells of early abortive attempts at founding national organizations which could govern Jews internally and speak for them in relationships with others. In 1888 a group of

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several Orthodox congregations brought Rabbi Jacob Joseph from Lithuania to be their chief rabbi and to speak as a supreme religious authority. In 1909, New York Jews formed a *Kehillah*, a European-style federation of Jewish organizations to represent Jewish interests nationwide. There was, however, no reason for rabbis who were employed by their congregations to recognize the superiority of a chief rabbi. In addition, both the chief rabbi and *Kehillah* ran afoul of the free, entrepreneurial spirit of American Jews. Kosher meat slaughterers and sellers, for example, were American businessmen who did not want to be regulated by a religious body, although they eventually accepted state regulations.

American Jews found other ways to organize. They undoubtedly are the most- and best-organized group in America through 229 local Jewish federations covering 800 communities and numerous other agencies. The federations are loosely attached to a national council of Jewish federations and welfare funds who give advice, stimulate interest, and help plan the allocation of money raised to meet the needs of the Jewish poor, sick, infirmed, aged or orphans, hospitals, and other institutions, many of which serve non-Jews extensively. There are, in addition, more than a dozen other national confederations.

The cement that holds these organizations together is the extraordinary Jewish sense of peoplehood. For the vast majority of American Jews that comes down to two key concepts: survival and progress. It is an essential element of Jewish belief that Jews must help each other to overcome both outside opposition and internal failure to live up to *Torah*. First among *Torah* responsibilities has been the obligation to *tzedakah*—the responsibility of the strong to help the weak, the rich to assist the poor, and the middle-aged to nurture the young and to help the old. The very essence of Jewish peoplehood is *tzedakah*. That is why it is possible for relatively irreligious suburban Jews who hardly know each other to organize annually on a totally volunteer basis to raise money for Jewish needs all over the world.

If it is the Jewish sense of peoplehood and prophecy which makes them active communalizers in meeting human needs and advancing human improvement, it is the American framework of what Elazar calls "individualistic pluralism" (p. 56) which has shaped the character of Jewish communal activity. Jews, like other Americans, are free to choose the degree and nature of their organizational attachments. They move in and out of causes as individuals and can easily cease identifying as Jews altogether. Although Elazar does not define individualist pluralism, it is a useful idea which seems to mean that since the polity actually does protect individual choice, it may also at certain times encourage a certain amount of group identification based on that choice, and, in fact, it allows for and supports expressions of group consciousness and loyalty much more than is generally realized.

It is too bad that Elazar did not think through the meaning of the highly suggestive phase. That there is confusion on such a complex subject is understandable, but he compounds it by writing of the difficulty which Americans have remaining as authentic Christians or authentic Jews at the very time that fundamentalism, the charismatic Christian movement, and orthodoxy among Jews are rising. What is particularly confusing is that he accepts Will Herberg's thesis that Americans have chosen religious

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affiliation over ethnicity as a vehicle for the preservation of what they wish to preserve from the past at the very time that Americans are going through a process of retribalization along ethnic as well as religious lines. Unfortunately, the author repudiates Horace Kallen's conception of cultural pluralism—that each immigrant group would retain some of its cultural identity while its members, as individuals, became Americans—for that is precisely what has happened. We should now see more clearly than ever that America is an experiment in which the expression of group identity and interests must somehow be made compatible with a political system that protects individual rights and an economic system that rewards individual achievement. Despite this conceptual lapse, organizational dispersiveness, and repetitiveness, this is an important book rich in all kinds of data not found in any other single volume concerning the numbers, players, character, and quality of organized Jewish life in America.

LAWRENCE H. FUCHS
Brandeis University

The Poverty of Power: Energy and the Economic Crisis *by Barry Commoner. New York, Alfred A. Knopf, 1976.—314 pp. $10.00.*

In the mass media, in the stock market, indeed in the minds of most Americans the energy crisis has come and gone. Even among those who have delved into the subject more deeply, few have understood how significant a transition is the passing of the age of abundant and hence cheap energy, and few can claim to reliably foresee how great a change in our way of life and in the industrial growth that has fueled that way of life this transition will create in coming decades. Credit Commoner then, in this new book, with recognizing the potential gravity of the situation and of its repercussions for our economic system. Unfortunately, in this reviewer's opinion, he extracts from this recognition an analysis of causes that is questionable and a prescription for the future that is seriously flawed.

Commoner has discovered thermodynamics, a musty and frequently overlooked instrument of the scientific toolbox. Building on a landmark report of the American Physical Society, to which he gives credit, Commoner traces through a number of energy sources how appropriately they are matched to their present uses. The results are illuminating, for as a country we do often use energy in forms capable of producing great quantities of useful work for tasks that are thermodynamically undemanding—in effect, wasting high-quality energy to make low-grade heat. The burden of Commoner's argument, with which no one would disagree as an ideal, is that high-quality forms such as electricity and natural gas should be saved for specialized uses while solar energy, which can be concentrated to increase its thermodynamic quality to that appropriate for any given task, should be used whenever possible.

But Commoner goes beyond an analysis of energy efficiency to attempt an essay on the economics of energy resource development. He ascribes the shortage of domestic petroleum to the oil companies' decisions to slow down drilling at home because they

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could make higher profits by drilling overseas, and he asserts that there is more oil to be found if the price is high enough—a fifty-year supply, perhaps. But it will come as no surprise to those familiar with Commoner's other writings that he sees little future for nuclear power, and he is equally dubious about the future of synthetic fuels from shale or coal. It is for renewable energy sources, however, that he saves his greatest enthusiasm, saying that "solar energy can not only replace a good deal, and eventually all, of the present consumption of conventional fuels . . . but can also reverse the trend toward escalating energy costs that is so seriously affecting the economic system" (p. 122). Although not all will agree with his conclusions. Commoner does offer considerable data to support them, with the unfortunate exception of solar energy; he neither offers nor does this reviewer know of any responsible data that support the idea that solar energy will be cheap. Competitive in a world of rising energy costs, yes, but not cheap. Commoner's vision of a world ultimately dependent on renewable energy resources is certainly correct, but he damages the credibility of even modest near-term contributions from this source with his overoptimistic forecasts.

From there on, the book becomes increasingly a polemic. In searching for the root causes of our present dilemma, Commoner comes to rest upon the capitalist economic system itself and offers his own version of the crisis of capitalism—that the true price of power is ever-higher costs that threaten the economic system itself by drying up both capital and jobs, unless we move toward more socialistic forms of economic organization.

Although there is much of value and of interest in the book, for Commoner writes entertainingly, it is an uneven addition to the national energy debate and cannot be recommended to those not already familiar enough with the terrain to avoid the pitfalls.

ALLEN L. HAMMOND
American Association for the Advancement of Science

The Oil Crisis *edited by Raymond Vernon. New York, W. W. Norton & Company, 1976.—viii, 301 pp. Cloth, $12.50; paper, $4.95.*

This volume, an excellent addition to the growing number of serious studies of the problems of oil and the oil industry, attempts to see the "oil crisis" which began in October 1973 in its larger significance rather than its immediate impact. The book is the result of gatherings in Cambridge, Mass., in March 1974 and in Turin, Italy, in January 1975 of experts of diverse professional backgrounds from various countries. The group was assembled under the joint auspices of *Daedalus*, the journal of the American Institute of Arts and Sciences, and the Center for International Affairs of Harvard University and was provided with funds and conference facilities for the Turin meeting by the *Fondazione Giovanni Agnelli* of that city. Although the authors take the time beginning in October 1973 and continuing for fifteen months thereafter as the period for their collective investigation (p. 359), each study represents the viewpoint of the individual author and his or her interpretation of the

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subject, refined and revised by the discussions and criticisms of the other contributors and of outside critics present at the Turin meeting.

The closely integrated studies are of uniformly high quality as is the organization of the volume from the introductory "Interpretation" through the concluding "Synthesis." The last is of particular interest since it represents the viewpoints of three authors of differing national backgrounds on the all-important subjects of various aspects of power in oil. If one is to assess individual contributions, perhaps those of Edith Penrose on "The Development of Crisis," Norman Girvan on "Economic Nationalism," Mira Wilkins on "The Oil Companies in Perspective," and Zuhayr Mikdashi on "The OPEC Process," may be regarded as outstanding.

It is made abundantly clear by the authors that the crisis—or "turning point" as Penrose so well defines it (p. 39)—in the world oil situation culminating in 1973 was more than one of conflict among the different interests in the international oil trade. It came about rather as the result of gradual changes in the structure of the world oil industry during the ten years before 1973 and of demands for greater energy supplies during that same decade.

That the crisis did not emerge full-blown from the head of OPEC becomes particularly clear in Mikdashi's notable study of OPEC. He shows that the spectacular rise in oil revenues came only in part from the organization of OPEC but also from the initiatives of individual governments, growth in demand, shortage of world supplies, the lack of acceptable substitutes for oil in the present and immediate future, the oligarchic structure of the major oil companies, their vertical integration and the foreign ownership of most oil companies in developing countries (p. 213). Despite the unwillingness of its members to delegate national authority to the central body, and the continual disagreements among them, OPEC has had reasonable effectiveness in reaching a measure of consensus among its different member governments.

Mikdashi points out (p. 214) that the emergence of the various national oil companies of countries belonging to OPEC may well be a development for the future. By the mid-1970s, some OPEC members were already working in partnership with major oil companies; the National Iranian Oil Company in its North Sea venture with British Petroleum on a 50-50 basis, is one example. The wind may be blowing toward greater cooperation in this important area, which will leave the disastrous bickering and attacks on the major oil companies to the not-too-tender mercies of their own home countries.

JANE PERRY CLARK CAREY
New York

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Dispersing Population: What America Can Learn from Europe *by James L. Sundquist. Washington, D. C., The Brookings Institution, 1975.—xiv, 290 pp. Cloth, $9.95; paper, $3.95.*

In the late 1960s, the view was widely accepted in the United States that it would be desirable to stem the continuing depopulation of rural areas and the associated large flows of internal migrants to the nation's great metropolitan zones. There was concern that the progressive centralization of population in a small number of such areas would exacerbate growing problems of congestion, crime, and corruption. Strategies for dispersal and for alternate growth poles were much discussed. However, not very much actually got done with the specific intention of redirecting flows of internal migrants.

In this volume Sundquist addresses the question of what might be done, drawing on a careful analysis of the experience of five democratic industrialized nations of Western Europe: Great Britain, France, Italy, The Netherlands, and Sweden. Each of these nations developed explicit policies to influence distribution of population about the same time the issue was being widely discussed in the United States.

The measures adopted in these countries were essentially attempts to take work (almost always thought of as industrial labor) to the workers, thus retaining active populations in areas of out-migration and even stimulating in-migration to selected growth points or zones. Actual techniques included low-cost loans and tax incentives to manufacturers and some other employers, construction of government-owned factory buidings for leasing on attractive terms, general infrastructure development, and subsidies to industry for relocation and retraining of personnel for job creation in the designated growth areas. In the already congested metropolitan centers, disincentives to further industrial growth included land use restrictions and tax penalties. Governments relocated some of their own activities to the growth areas.

The evolution of policies and the political and administrative structures with which to effect them is fully detailed by Sundquist. Points of strain and impediments to the policies are also described. Sundquist concludes that although there were distinctive local problems, the dispersal policies can reasonably be judged to have been a success.

The 1950s and 1960s were decades of declining rural population and large city growth in Europe. Therefore, dispersal was the chief goal of population policy and perforce of Sundquist's book. Research for the book was done during the early 1970s and it was published in 1975. By about the latter date, a profound shift in patterns of migration in the United States had clearly emerged. Net flow out of the Northeast and North Central states to the South and West of both blacks and whites became evident. Population declines in central cities continued steadily; areas of growth were still found in the outer zones of metropolitan centers, but now also appeared in nonmetropolitan areas of the country.

From some points of view, the new pattern of internal migration in the United States might make Sundquist's book seem rather futile. The unhampered functioning of self-regulating mechanisms in the American system produced the desired dispersal without need for explicit government intervention.

Another view is that dispersion-oriented policies helped European countries avoid

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what would otherwise have been a more extreme alternation of concentration and dispersal. The policies were thus valuable as a way of avoiding the more acute negative consequences of overly rapid concentration.

Quite apart from the matter of concentration and dispersion, though, it is clear that these five countries have built up a useful body of experience in dealing explicitly with population aspects of regional inequalities. Although, as Sundquist shows, such regional differences have not received very much attention in discussion of economic policy in the United States (p. 260), the issue is one of considerable importance. The migration encouraged by differences in economic and social conditions in turn has consequences for sending and receiving areas, as well as for the migrants themselves. Under some conditions, the migration may reinforce the conditions that prompted the outflow in the first place.

In general, dispersion from metropolitan centers is one possible goal of internal population distribution policy. Other goals, relating to other patterns of regional inequality, might equally well be pursued. If a society chooses to set such goals, means are available to achieve them in the context of a democratic industrial society. The Sundquist volume assembles and analyzes available experience with a set of such policies; it is a valuable resource for anyone concerned with the issue.

DONALD F. HEISEL
The Population Council

American Farm Policy 1948–1973 *by Willard W. Cochrane and Mary E. Ryan. Minneapolis, University of Minnesota Press, 1976.—xiv, 431 pp. $18.50.*

This is a useful and timely book that deserves careful study by all those concerned with shaping United States agricultural and food policy when our basic farm legislation comes up for replacement or amendment in 1977.

The authors describe their work, with excessive modesty, as "basically a reference book" which seeks to record and explain the evolution of American agricultural programs from 1948 to 1973. Thus braced for a dry serving of this usually indigestible subject matter, the reader will be pleasantly surprised. While the historical record is spelled out in considerable detail, it is readable and well organized. Four opening chapters manage to enlist and hold the reader's interest by weaving the changing and sometimes conflicting objectives entering into the process of policy formulation and the interaction of farm groups, legislators, and administrators into a fascinating fabric of politico-economic analysis. Two concluding chapters attempt to assess the effects and shortcomings of the programs and their implications for the future.

Remembering that the senior author, Dr. Cochrane, was deeply involved in postwar farm policy as an observer, analyst, adviser, and practitioner, the reader will expect a sympathetic view of its objectives. To the authors, the "basic compromise" between producer and consumer interests that took shape in the grain and cotton programs of the mid-1960s and culminated in the Agriculture and Consumer Protection Act of 1973 represents a policy framework that will be difficult to improve.

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The authors trace the long process of trial and error that led to the "basic compromise": the defeat of the "Brannan Plan" which would have done away with high price supports and substituted income payments up to a stated limit per farm (thus foreshadowing a development which did not materialize until fifteen to twenty years later); the accumulation of excessive stocks generated by high price supports and attempts to control production, first by selective and then by comprehensive acreage restrictions; the defeat of the wheat referendum in 1963 which effectively ended the hope of dealing with the problem by mandatory controls, at relatively low cost to the taxpayer; finally, the introduction of deficiency payments, contingent upon the farmer's voluntary cooperation with comprehensive acreage set-asides (which, in turn, were made flexible to allow substitution among crops).

In the end, the authors conclude, the farm programs were successful in supporting farm incomes above equilibrium levels; in stabilizing prices; in expanding domestic and foreign demand; and in adjusting production to demand. The programs had some unintended effects: they stimulated technological advance and the substitution of non-farm-produced inputs (fertilizers, pesticides, machinery) for land and labor; they favored the larger, alert, more aggressive farmers who were in the best position to adopt the new technologies and bought out their small neighbors; they accelerated the exodus of workers from agriculture. The income gains accrued largely to the farmer as landowner, through increased land values. The programs provided food aid to poor and hungry people in the less-developed countries. Other foreign-trade effects are dismissed as not very significant.

Among the major shortcomings of the programs, the authors list the following: the neglect of the small farmer and laborer; the high costs, rising to over $5 billion in the early 1970s; excessive reliance on storage and disposal programs rather than production controls; reliance on "weak and slippery" acreage controls, as distinct from marketing quotas. It is interesting to note that just as acreage controls finally took hold, in the late 1960s and early 1970s, the market turned around, leaving the United States with inadequate stocks to deal with the major crop shortfalls of 1972–1976. Without acknowledging the irony of this situation, the authors make amends by listing the failure to develop a reserve stock program (as distinct from stocks accumulated accidentally as a result of high price supports) as a shortcoming of the programs.

The final pages, dealing with the implications for the future, are disappointing. The authors state, correctly, that future agricultural legislation must be designed to deal with the entire range of market situations, including the possibility of a slackening of foreign demand; ups and downs are likely, quite apart from whether or not one is optimistic about the long-term trend. But does this mean that we need to retain all the paraphernalia of past programs and even introduce added features such as marketing quotas? The authors are right in insisting on a major stock reserve program to achieve a tolerable degree of price stability. But assuming adequate reserves, will there still be a need for export controls? Why should it still be necessary to control production and to make massive income transfer payments to commercial farmers who have just had four extremely profitable years and have long since achieved parity of income with comparable nonagricultural entrepreneurs? "We can be sure," the authors point out,

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"that the essentially urban society of the United States will . . . pursue policies designed to provide it with adequate supplies of food at as favorable a cost as possible —whether as consumers or taxpayers" (p. 395). It is not clear why one would expect this urbanized society to tolerate restrictions on production to raise food prices, let alone to pay commercial farmers for going along with such a program. In short, it is questionable whether the "basic compromise" of the 1960s is still in tune with the economic and political facts of life in the 1970s.

FRED H. SANDERSON
The Brookings Institution

Peace Soldiers: The Sociology of a United Nations Military Force *by Charles C. Moskos, Jr. Chicago, University of Chicago Press, 1976.—xi, 171 pp. $11.00.*

Since June 1948, when United Nations military observers were flown to the Middle East to supervise the truce between Israel and the Arab states, more than 250,000 peace-keeping soldiers have served under the U.N. flag. The first major U.N. peace-keeping force was set up in the Sinai in November 1956 and remained there until the 1967 war; it was followed by U.N. peace-keeping forces in the Congo (1960–1964), West Irian (1962–1963), Cyprus (1964–), again in the Sinai (1973–), and in the Golan Heights (1974–).

All these peace-keeping operations have had some important features in common: they are set up with the consent of the parties, function impartially under the command of the U.N. secretary-general, seek to keep the peace without affecting the interests and claims of the parties, and are restricted in the use of force to self-defense. The U.N. Command in Korea does not figure in this list since it fought a war on the side of one of the parties and does not function under U.N. control.

A great deal has been written about the political side of U.N. peace-keeping operations, but much less about the nature of the soldiering involved. Charles C. Moskos has undertaken to fill that gap. *Peace Soldiers* is about the profession of arms in its latest incarnation as a stabilizing factor on the international scene. The book focuses on just one military operation—the U.N. Peace-keeping Force in Cyprus (UNFICYP) which was established by the Security Council in March 1964 and has been regularly and unanimously extended to this day. While UNFICYP kept the peace, helped maintain law and order, and contributed to a return to normal conditions, a succession of U.N. mediators and representatives endeavored to bring the parties together to negotiate a settlement of the Cyprus problem. Their effort failed, but not for want of trying; indeed, Moskos might have mentioned that by 1972 the U.N. good offices had resulted in a near-agreement that was stymied by the intransigence of the three governments concerned.

Moskos gives an excellent account of the organization and operation of UNFICYP, and of the way in which it kept the country functioning for ten years (1964–1974) despite the strife and hatred that made contacts across communal lines increasingly

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difficult. A particularly illuminating chapter—"Peace-keeping in the Field: The Making of a Constabulary"—illustrates the ingenious methods used to resolve incidents impartially without the use of force. Over the years, peace-keepers have evolved what the author describes as a "constabulary ethic," involving a redefinition of the soldier's role and a conscious adoption of the minimum-force principle.

A postscript gives a brief account of UNFICYP's unsung role during the 1974 fighting in Cyprus. UNFICYP, which had been set up to deal solely with Greek and Turkish Cypriots, had neither the strength nor the authority to oppose the army of Turkey. Nevertheless, amid heavy fighting and at the cost of casualties, the U.N. force played a significant moderating role, arranged for local truces, deescalated the fighting, protected civilians, and provided essential humanitarian relief. Since the cease-fire of August 1974, UNFICYP has been subject to severe restrictions in the Turkish-occupied north, but has remained effective in supervising the cease-fire and interposing between the two armies. Secretary-General Waldheim's mission of good offices, which has continued despite great difficulties, is generally regarded as the best remaining hope for a settlement.

Moskos started his research with a number of sociological straw men: hypotheses concerning the reputed peace-keeping effectiveness of soldiers from neutral countries, the alleged growth of internationalism among peace-keeping soldiers, and the correlation between the above factors and the principles of impartiality and the nonuse of force except in self-defense. As his study progressed, he saw each of these straw men collapse. British or Canadian peace-keeping soldiers were as apt to espouse impartial attitudes and minimum-force methods as their neutral Scandinavian colleagues; UNFICYP service enhanced the soldiers' national orientation and did not generally breed champions of world government, or even of the U.N. What is more intriguing is the finding that after an early period of naive idealism, UNFICYP officers tend to experience a period of disappointed cynicism midway in their tour of duty, followed by a pragmatic and realistic understanding that peace-keeping is no panacea, but a device—an effective one—to keep an explosive situation under control.

Moskos lists sources of internal tension that affect UNFICYP—differences in national pay scales; tactical and strategic disagreements among the military and between them and their civilian counterparts, etc. Some of these exist in all military organizations; others are attributable to the multinational character of the force. The author also notes the existence of countervailing tendencies toward consensus. But he avoids discussing the substantive characteristics of command and control in the field, and of policy guidance from headquarters, that are crucial in creating or destroying the *esprit de corps* of a force of this kind. The question is not whether problems arise, but how they are handled. Sociology cannot be severed from policy, or indeed from politics.

Peace Soldiers is a good book, but it might well have benefited from a slightly less modest definition of its topic. Having got rid of his sociological straw men, the author might have analyzed the political and military constraints on UNFICYP and other peace-keeping operations, and the options actually available to them. In working out some of the strategies that appear so frustrating to the soldiers in the field, the secretary-general often has to contend with political dilemmas and conflicting pressures

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from the parties, from the U.N. organs involved, and from the troop contributors. Moskos would be uniquely qualified to pursue his analysis in that direction, so as to bridge the gap between the military sociological aspect that he covers so well and the political goals that the U.N.'s soldiers serve.

GEORGE L. SHERRY
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* The opinions expressed in this review are those of the reviewer and do not necessarily reflect the views of the Secretariat of the United Nations.

Comparative Public Policy: The Politics of Social Choice in Europe and America *by Arnold J. Heidenheimer, Hugh Heclo, and Carolyn Teich Adams. New York, St. Martin's Press, 1976.—296 pp. $12.95.*

Some of the major advances in political science in recent years have come from the effort to look at the output side of government, to identify the consequences for policies and people of variations in political behavior and governmental institutions. Constitutions, bureaucracies, parties, and ideologies have ceased to be only dependent variables, but have become also independent variables—the possible determinants of collective choice and political system performance. The newer approach looks for regularities between patterns of politics and government and patterns of policy in an effort to judge institutions by their fruits.

The authors of *Comparative Public Policy* have made an important contribution to the ongoing effort to compare the performance of political systems in terms of their outputs. Quite deliberately, the authors reject the approach to the understanding of comparative performance that deals with large numbers of systems; that looks for uniform responses to uniform problems, challenges, contexts, or constraints; that relies on statistics and statistical analysis to detect regularities and interdependencies; that seeks to explain and predict policy choice and performance on the basis of probabilistic tendencies among typical actors in typical situations.

Instead the authors adopt a more limited approach, one that deals with a few cases (the United States, West Germany, Sweden, and Britain, for the most part). Instead of quantitative analysis and generalization from large numbers of cases, the authors present historical case studies dealing with policy development in seven important fields of public policy—health, education, housing, urban planning, transportation, public assistance, and taxation. Stress tends to be on the uniqueness of policy development in each country; "configurative," ad hoc explanations are used to account for the unique choices made in each country.

The virtues of this approach to comparative policy are many. It is an approach that is more easily understood and critically evaluated than the more rigorous, quantitative approach. It deals with the problems, processes, and policies of particular countries, rather than with public policy generally or among the advanced nations, generally. Policy choices are discussed and compared in terms of identifiable actors: interest

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groups, bureaucracies, political parties, and program clients. An effort is made to explain choices in terms of the interactions of these participants in the context of ideology and social conditions. The aim is to suggest why different nations adopted different policies at different times. Differences are attributed for the most part to nationally specific combinations of structures, values, and conditions.

The description of policy development in the various countries and policy sectors is clear, accurate, and perceptive. Those familiar with policy development on each side of the Atlantic in the fields covered will quite likely find the descriptions useful, the analysis sound, and the comparisons suggestive. Students and others less familiar with comparative policy development in the advanced nations will find this a very useful introduction.

For this reader, the major defect of the book is its use of the word "outcomes." By outcomes of the policy process, the authors intend the policies chosen, "policy" rather than "policy impact." We are shown how different countries have chosen different policies, but we are not shown whether these "social choices" have had favorable or unfavorable impact on the quality of individual and social life. Perhaps because of their bias against more quantitative analytical methods, the authors do not attempt to assess the comparative impact of policy choices. Have differences in educational, health, city planning, housing, or transportation policies produced differences in the quality of education, health, urban life, housing, or transportation? Are comparative indicators of policy process and choice related systematically to comparative indicators of social and individual well-being? Are people more satisfied with policy performance in some countries than in others? It is not enough to know why and how different collective decisions were made; we need to know the consequences of those decisions for people and their communities. Those are—at least to this student of comparative policy—the outcomes that matter.

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Planning, Politics and Public Policy: The British, French, and Italian Experience *edited by Jack Hayward and Michael Watson. New York, Cambridge University Press, 1975.—xiii, 496 pp. $37.50.*

Those requiring examples of the application of Murphy's Law to planning efforts in the mixed economies of liberal democracies will be richly rewarded by this book. Those who are bored by detail can readily go to the summary chapters by the editors, and by Young, Jobert, and Nizard to get at the essence of what this commendable effort at cross-national analysis has produced. The country chapters involve the inevitable mixed bag, and it is a pity that those on Italy are often not in the same class with those reflecting the French and English experiences.

Specialists on the politics of economic planning will find little here that is surprising. None of these countries has ever tried its hand at central, comprehensive, and coordinated direction of the economy; none has ventured far toward planning by compulsion,

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except on those sporadic occasions when emergencies dictate freezes on imports or wages, and even rarer occasions when prices have been regulated. For all three countries, planning has rarely meant more than some advisory "input" at some stage in the policy-setting process. Almost never has it implied the passage of legislation, the development of administrative and judicial procedures, and the provision of political follow-through designed to assure that what is planned will actually be transformed into compliant human behavior. If anyone still has any doubt about how uncomfortably the mantle of planning fits these three pluralistic democracies, this book will provide sobering revelations.

In these countries, the politicians who create new planning bodies have not the slightest intention of taking much advice from them. The central governments that with one hand decentralize or devolve responsibilities to the regions or the cities, use their other hand to sabotage these transformations, thus making a chaotic mockery of participation from below.

Effective "planning" interventions are usually schemes devised to deal with extreme crises, such as industrial obsolescence, ineffective international market position, balance of payments and monetary difficulties, manpower shortages, etc. As Michael Watson correctly notes in his concluding chapter, this sort of short-term, disruption-induced approach to planning has reshaped neither prevailing administrative structures nor the more basic aspects of society that planning might reasonably be expected to address. It is on the whole a dismal story.

Two aspects of this volume may help to clarify the conceptual dilemma that confronts us. First, the evidence from these countries is strong that most of the national elites who have propounded planning schemes, or have been drawn into their operation, do not in fact intend that these schemes should be directed at the medium- or long-term transformation of basic social and economic relationships. This is as true of the much-heralded French approach since Monnet, as it has been of the Vanoni Plan and what followed in Italy in the 1960s, and of Britain's on-again, off-again flirtation with planning during the same decade. Attention to harassed cities, restive regions, languishing industrial sectors, or bankrupting firms grows out of the knowledge and frustration that earlier macro-level efforts to manage demand seem not to work in conditions of stagflation. Planning is designed to smooth out the rough spots, to remove the bottlenecks, and to take care of the other imperfections of the market.

Where problems of political economy seem no longer to respond to the market's hidden hand, or to macro-level demand-management prescriptions that can be applied without engendering violent reaction, planning is seen as an instrument for "consulting the affected interests" (meaning government, labor, and business) in the hope of finding an increasingly elusive common ground. But, as several of the authors note, this form of consultation and policy setting is imperfect on quite a few grounds. For example, the parties to this kind of peak-level negotiation are unequal regarding relative resources. A second imperfection is that in this day and age neither organized labor nor organized business can really say they speak for the behavior of the individual firm or worker.

This "toothless tripartism," as Hayward aptly labels Britain's experience of the

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1960s, has come to characterize efforts at corporative consensus building in Italy and France. Where these efforts are clearly designed to avoid basic and potentially painful questions of social and economic reform, the unions at least are apt to accord them a dim view—not necessarily because union leaders lack commitment to the system, but because their own hold on leadership roles has become remarkably tenuous.

Lucien Nizard, in an incisive essay that captures the spirit of this book, asserts that planning of all varieties in the West has been directed to "the regulatory reproduction of the status quo." Reproduction proceeds by fits and starts, it is fragmented, and it is characteristic of the many partial systems that make up the whole.

The second illuminating aspect of this volume is that many planning advocates tend to lose sight of the power-and-conflict side of the political process. The evidence is that power over public choice and allocations is located at the national centers and even there it is not parliament but executive bureaucratic agencies that exercise most of it on a day-to-day basis. Typically, these power centers are enmeshed in deeply rooted clientelistic relationships with leading interest groups and with local elites. The still-born, sometimes shattered, efforts to bring about regional and local planning in these three countries are deeply associated with failures to appreciate and/or to do something corrective about this basic condition of politics.

It is a pity to find so little here, beyond overworked platitudes about grass-roots participation, to show how democratic planning might work better. If the game is power, bureaucratic organization is trumps. Unless someone wants to try a shoot-out we can predict that existing power structures will resist the best verbal efforts of social scientists to bend them to their logic.

JOSEPH LAPALOMBARA
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Germany and the Politics of Nuclear Weapons *by Catherine McArdle Kelleher. New York, Columbia University Press, 1975.—xiv, 372 pp. $15.00.*

This is a monograph on the development of German nuclear weapons policy at a critical period, from German rearmament to 1966, and its significance since. It is chronologically organized, beginning with the time when many Germans were still strongly opposed to any rearmament, not to mention access to nuclear weapons. It is based in part on interviews with German and American, British, and French decision makers, and in part on an analysis of speeches and writings of German politicians. As the author points out, nuclear policy played a logical role in the national security concerns of the Adenauer and Erhard administrations, which in those days still claimed to represent the East Germans as well as the Federal Republic. As seen by the German policy makers, nuclear policy was from the beginning, and throughout its most controversial phase, constrained by the special, insecure, and nonequal status of the Federal Republic in NATO, its internal division and the Soviet threat, and its client relationship to the United States. It was bound by a 1954 pledge not to produce nuclear materials and its large military forces were

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entirely under NATO command. Its exposed condition at the edge of the Iron Curtain, memories of World War II, and specific threats of what would befall Germany —a "veritable cemetery" (Khruschev)—if it acquired nuclear weapons intensified the German dependency on the United States. A national nuclear force, in any case, was an unlikely option for any middle-sized power at that time.

The author's interviews permit a thorough discussion of the development of German views and policies toward the nuclear nonproduction pledge in the context of the broader issues of restrictions on German production of other kinds of "offensive weapons." In the mid-1950s the Germans showed no particular interest in retaining a right to such production and were glad to leave them to the superpowers (pp. 28–32). They were quite willing to settle for a full NATO role under the American nuclear umbrella. Even such a nonnuclear "full role" seemed perilous in view of the virulent domestic opposition to and the overestimation of the economic requirements of rearmament, as well as the realization of the frightful consequences of another major war in Europe. Many opinion polls testify to this German fear of nuclear war or any war on German soil, although the author does not mention them. She does discuss the German reaction to the simulated horrors of NATO maneuver Carte Blanche of 1955 which assumed that 300 atomic bombs had been dropped there and nearly 2 million Germans killed. Less clear is the long-standing political nature of the domestic opposition to rearmament by the trade unions and the entire left, which had been pacifistic long before Carte Blanche. But there is no mistaking the emergence of a German awareness of the country's long-range strategic interests as not entirely identical with those of the Western Allies.

The most rapid period of this evolution occurred at the end of the 1950s when the Federal Republic began to experience the realities of its NATO role and while Adenauer's strategic value to the West had not yet passed its apogee. The author draws a remarkable portrait of the controversial Franz Josef Strauss, whose role at that time had tended to be obscured by the *Der Spiegel* crisis of 1962 and later political misfortunes. Strauss' energy and drive to power under Adenauer shaped the defense posture and, inevitably, German recognition that the Federal Republic would have to participate in decisions over the use of nuclear weapons by NATO. Whatever else this dynamic and ruthless politician may have done as defense minister, he firmly established civilian control over the ghosts of the general staffs of three regimes, the Empire, Weimar, and the Third Reich, at a time when most of the other civilian politicians of Bonn seemed as helplessly dependent as ever on military strategic advice. In building up his own position, he also explored the limits of a German military and strategic role within the Western alliance.

It is the particular merit of this book to compare the postures and problems of a German nuclear role with those of the other European middle-range powers of the alliance. This clearly brings out the substantial commonality of the problems of Great Britain, France, and Germany in this respect and also the few aspects that are peculiar to the German posture: the exposed position next to the Iron Curtain, the acute desire for the presence of substantial conventional NATO forces on German soil, and the continuing domestic debate which eventually led to voluntary renunci-

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ation and a low strategic profile of the Federal Republic. German views on the optimal mix of nuclear-conventional weapons or on the best strategic response to military challenges short of all-out confrontation were no different from those of the other Allies, in spite of the exposed German position.

The new European policies of the Kennedy administration made the original German-American rearmament bargain become "unstuck" (p. 156). They seemed to remove from the Bonn government all hopes of participating in shared control over the use of nuclear weapons and to consign it to what Germany's internal critics had predicted all along, the role of the foot soldiers of Western defense. Adenauer and, less so, Strauss responded with a quasi-Gaullist posture of backing off from the American plans even though Washington was careful never to close the door on the possibility of control-sharing agreements. The era of the MLF (1963–1966), while characterized by the seeming willingness of Adenauer's successor to become reconciled to the American structure of nuclear policy making in NATO, brought no real resolution of the problem. The MLF went down with the Erhard government and its insuperable financial and political problems.

Kelleher is properly very critical of Washington and Rand Corporation assessments of the options before the German policy makers. She draws a vivid and lucid picture of the difficulties of alliance politics between a superpower and middle-range allies. It would have been better had the author carried her illuminating narrative up to the signing of the Nuclear Nonproliferation Treaty, rather than adding a somewhat thin afterthought on the development of the 1970s. Only at the very end, in developing future options and scenarios, does the book return to its high earlier level.

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Portugal: Fifty Years of Dictatorship *by Antonio de Figueiredo. New York, Holmes & Meier, Publishers, 1976.—vi, 261 pp. $13.50.*

On April 25, 1974, Portugal's forty-eight-year-old dictatorship collapsed as young officers of the Armed Forces Movement (MFA) desposed Marcello Caetano, who, six years earlier, had succeeded Antonio Salazar as prime minister and dictator of this Iberian nation of 9 million. The overthrow brought about a carnival-like atmosphere as people danced in the streets to celebrate the "Revolution of Flowers."

The Portuguese-born Figueiredo, a journalist whose perceptive articles frequently appear in the *Manchester Guardian*, describes the conditions that gave rise to the coup d'état. He analyzes the subjugation of the God-fearing peasantry by the Church-supported regime, the domination of a small proletariat by official syndicates, the intimidation of the population by paramilitary organizations and a sadistic secret police, the manipulation of public opinion by censorship of the mass media, the control of the economy by state-run enterprises, the preemption of the political field by a National

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Union movement, and the exploitation of African colonies by crass administrators and avaricious businessmen.

The author, born and raised in rural Portugal, shows particular sensitivity when describing the peasant culture from which he emerged. In speaking about the "near-animal condition" of those in a male-oriented and child-exploiting society, he vents his spleen on Catholicism, which, as practiced in the countryside, was a form of "sub-Christianity," preaching a God of Terror rather than a God of Love. "The local priest, like a tribal witchdoctor, teaches them a doctrine which holds that challenges to the local and national patron saints can be punished with crop failure or the affliction of their animals and children" (p. 11).

His bitterness leads him to identify Salazar as totalitarian, an erroneous label because "total control" can only be approached in a highly developed society where transportation is excellent, communications effective, and technology advanced. Such has never been the case in Portugal, long a European backwater with the continent's lowest per-capita income and life expectancy for males and the highest illiteracy level and infant mortality rate. Indeed, Salazar's philosophy of Lusitanian Integralism, a doctrine that opposed the positivism, egalitarianism, and atheism associated with the French Revolution, militated against industrialization and development because they might unleash forces threatening to the stable, hierarchical, traditional order to which the pious and ascetic prime minister was devoted.

While somewhat off the mark in identifying the dictator's political system, the author provides uncanny insight into the character of the professor-turned-politician. Throughout his adult life, Salazar had been lovingly cared for by his housekeeper, Dona Maria, whom some observers believe he married a few weeks before his death. "Apparently," Figueiredo notes, "the man she had so reverently addressed as 'Senhor Doutor' and faithfully served since his student days had been so lacking in normal feelings of affection and gratitude, or so detached from practical reality, that he had failed to make any provision for the only dependent who was to survive him. It seems also that, through superstition or lack of concern, Salazar had left no will" (p. 219). As a result the old woman was sent packing shortly after her master's funeral.

Figueiredo displays a lack of balance when he accuses Caetano of instituting only cosmetic changes after succeeding Salazar who was incapacitated in 1969. In all fairness, he should have stressed the diehard opposition, similar to the "bunker" in present-day Spain, which limited the new prime minister's freedom of action. Over the opposition of these reactionaries, Caetano appointed moderates to the cabinet, curbed the most outrageous activities of a reorganized secret police, and permitted the return to Portugal of dissenting Church and political leaders, including the nation's current and highly respected prime minister, Mário Soares. It is true that Caetano knew his days were numbered after reading a book written by General Antonio Spínola advocating that changes in Portugal's relations to its African colonies be complemented by political reform at home. But the prime minister thought the coup would come from the right rather than the left.

Understandably, the weakest portion of the volume is the final chapter dealing with the events and aftermath of the April 1974 coup. Papers, documents, official minutes,

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and reports are generally nonexistent or unavailable for a scholar's perusal. It is too bad, however, that he did not probe, as British scholar Kenneth Maxwell has so astutely done, the role of the giant economic combines in Angola and Mozambique as well as the influence which both captured African freedom fighters and conscripted peasant foot soldiers had on raising the political consciousness of Portugal's middle-grade officers, the captains and majors who forged the Armed Forces Movement. We can only hope that Figueiredo's next book will focus on the coup, its aftermath, and the factors that enabled democratic socialism to triumph over competing ideologies.

GEORGE W. GRAYSON
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Spain in the 1970s: Economics, Social Structure, Foreign Policy *edited by William T. Salisbury and James D. Theberge. New York, Praeger Publishers, 1976.—xv, 187 pp. $20.00.*

This volume is the result of a conference held in Washington in June 1973 under the sponsorship of the Center for Strategic and International Studies of Georgetown University and the Institute of International Studies of the University of South Carolina. As is often the case with compilations of this nature, the result is uneven; this work shows the traces of haste in the preparation of both the conference and the book.

Spain in the 1970s is divided into three parts, as its whole title already implies. The first part is concerned with economic matters. It opens with a very short piece by Wolfgang Wipplinger which tries to summarize Spain's economic progress since 1960 but hardly goes beyond introducing the basic statistics and government projections. Given the present slump in the Spanish economy, to read that, according to the Spanish Planning Commission, "the Spanish economy will continue its strong growth performance, with the real GNP likely to grow at approximately 6.5 percent per year through the late 1970s" (p. 9) makes one reflect on the temerity of official forecasters and the gullibility of some economists. This is followed by an article by Theberge on development policies; it focuses almost exclusively on the 1959–1972 period, although it is supposed to deal with the whole twentieth century; it is also somewhat limited in scope, as it deals almost exclusively with regional policies and tariff protection. The last article in this section is by Salisbury and its aim is to show that Spain's economy is strongly linked to that of Europe and that there is no "viable alternative to forming some link to the Common Market" (p. 44).

The second section ("The Changing Nature of Spanish Society") is clearly incomplete, although it contains the most interesting material. Among the many things missing is a sociological analysis of the change in Spanish society since the civil war, something the title unequivocally promises. Two important topics are adequately, albeit succinctly, covered by Tad Szulc (Church-state relations) and Stanley Payne (the Basque and Catalan problems). These are the two most satisfactory essays in the book. Vincente Pilapil's article on "Franco's Rule" is illuminating but contains some glaring errors, such as the statement that Carrero Blanco was president of the government

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in 1956 (p. 108). In fact, Franco held this post, among others, uninterruptedly until 1973; not until that year did Carrero become president of the government (Franco remained head of state until his death). It is also a pity that Szulc's and Pilapil's articles overlap in their coverage of Opus Dei. Also included in this section is a disappointing piece on rural life by Michael Kenny.

The third part on "Spain and the World" is really about Spain and United States foreign policy. The apparent exception is Arthur Whitaker's essay on Spain and Latin America. Whitaker sees two trends in Latin America's future, right-wing militarism and "Peronist" populism, neither of which should prevent friendly relations with post-Franco Spain. Benjamin Welles's "Spain and the United States" is informative but contains surprising statements. Welles, for example, thinks that "Spanish pride in things 'Spanish' accounts for much of Franco's hold on power. In all his years of rule not a shot has been fired, nor a bomb thrown at him. Open opposition not only causes Franco to harden, but makes the average Spaniard recoil" (p. 145). After the assassination of Carrero Blanco and the kidnappings, killings, and executions of the last six or seven years one wonders if it may not have been just terror, the memories of the civil war, and the elaborate precautions Franco took when appearing in public that made Spaniards recoil, rather than "pride in things 'Spanish.' " The book ends with an analysis of Spain's military value to NATO by James G. Holland and Gregory A. Raymond. Although the style is sometimes cryptic (see the conclusion, p. 170), Holland and Raymond make clear that the opposition to Spanish membership of NATO by some European members is not purely political, but military and economic as well.

To restate, this is an uneven and already dated book. By trying to cover too much ground, almost all articles are thin, and the general impression is that of unfinished work. While some chapters overlap, the omissions are glaring. And, in fact, very little is said about Spain in the 1970s.

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Arms for the Arabs: The Soviet Union and War in the Middle East *by John D. Glassman. Baltimore, The Johns Hopkins University Press, 1975.—viii, 243 pp. $12.50.*

Scholars who analyze Soviet behavior in the Arab world range from those who see the Soviet goal in the region as being primarily defensive in nature—to prevent the area from being used as a base for an attack on the USSR, to those who view the Soviet goal as basically offensive—to eliminate Western influence from the area and to replace it with Soviet influence. John Glassman, a U. S. State Department officer is in the latter camp. Glassman's study is a very well-written and well-researched analysis of Soviet political and military behavior in the Arab-Israeli wars of 1956, 1967, and 1973, and it also covers the Soviet-Arab arms supply relationship and the potential role of Soviet-supplied weapons in the Arab arsenals prior to each war as well as the actual role of the weaponry during the conflict. Glassman's basic thesis is that Soviet restraints on the supply of certain types of weapons (i.e., ground-to-ground missiles)

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eroded over time and that the Soviet leadership was far more willing to take risks in support of their "progressive" Arab clients both in terms of the weapons supplied and in their wartime behavior in 1973 than in 1967 or 1956.

In a second major thesis, Glassman contends that American vacillation in support of Israel in each of the three wars, as well as in the Egyptian-Israeli "war of attrition" along the Suez Canal in 1969–1970, encouraged the Soviet leadership to engage in more risky behavior than they otherwise would have done. Finally, Glassman argues that the Soviet ploys of threatening to intervene in each of the wars were, essentially, successful bluffs which induced the United States to pressure Israel to halt its attacks in 1967 and 1973 (and the British and French to stop in 1956) before a decisive military victory was won over a threatened Soviet client.

While being in general agreement with the main theses presented in Glassman's analysis, one could raise questions about a few of his assertions. Thus, in his presentation of the initial Soviet-Egyptian arms deal of 1955 as being precipitated by the Israeli-Egyptian arms race (pp. 8–14), Glassman tends to overlook the formation of the Baghdad Pact and the Egyptian-Iraqi rivalry for leadership in the Arab world as causes for the Egyptian turn to the USSR for arms. Similarly, in contending that the USSR's pre-1967 supply of arms to Egypt and Syria was only designed to give the Arabs the possibility of control over the tactical battlefield in case of conflict with Israel, without posing a strategic threat to that country (pp. 36–37), Glassman overlooks the nature of Israel's pre-1967 war borders. Indeed, given the propinquity of Arab armies to Tel-Aviv (Egypt), Jerusalem (Jordan), and Tiberias (Syria), tactical control over the battlefield would have been sufficient, had the Arabs coordinated their armies properly, to enable them to quickly overrun Israel. In addition, one must question whether the Egyptian decision to accept the United States-sponsored cease-fire in August 1970 was a result of Soviet pressure, as Glassman implies (pp. 85–86), or whether it was primarily an Egyptian decision with which the USSR reluctantly complied. Interestingly enough, the latter explanation is given by Nasser's confidant, Mohamed Heikal, in his recent book, *The Road to Ramadan*. Finally, it is impossible to agree with Glassman's assertion that it was "Soviet satisfaction" with United States pressure on Israel to stop the fighting following the cease-fire in the October 1973 war which "prompted the Russian leadership to reiterate its support for the policy of detente" (p. 173). Rather, it was the USSR, with its image badly tarnished in the United States because of its behavior during the war, that sought to reestablish detente after the conflict so as not to jeopardize the benefits it was receiving as a result of the detente relationship. These benefits included United States trade, credits, and technology; a strategic arms agreement beneficial to the USSR; and the deterrence of a Sino-American alliance.

Finally, there is one major criticism of the book, which, however, does not detract from its overall quality. In the concluding chapter, as if to place Soviet behavior in the Middle East in the larger framework of global Soviet policy (or perhaps to construct a model to explain Soviet behavior), Glassman hypothesizes, "Moscow's moves toward improved relations with the capitalist powers generated domestic and foreign policy pressures to balance Soviet policy by providing renewed support for the "pro-

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gressive" movement. The historic record seems to indicate that Moscow was particularly prone to raise its military involvement in the Middle East in times of warmer relations with the West" (p. 191). Such a generalization is simply not supported by sufficient data to make it viable, and there are alternative explanations for Soviet support of "progressive movements" that are considerably more convincing. Apart from this weakness, however, one can strongly recommend this book for anyone interested in the study of Soviet policy in the Middle East.

ROBERT O. FREEDMAN
The Baltimore Hebrew College

Jawaharlal Nehru: A Biography, Volume One: 1889–1947 *by Sarvepalli Gopal. Cambridge, Mass., Harvard University Press, 1976.—398 pp. $17.50.*

Jawaharlal Nehru—nationalist leader and then prime minister of the Republic of India through its first seventeen years of independence—was a magnetic figure who still attracts biographers seeking to trace the course of twentieth-century Indian politics. More than any other South Asian leader, he bridges the years of nationalist struggle for freedom and the first generation of independent accomplishment. Along with Gandhi, Nehru's legacy to his biographers is a remarkably extensive set of private correspondence through which he kept in touch with hundreds of persons at home and abroad from the 1920s to his death in 1964.

Many scholars have had access to parts of this collection and to valuable government papers in India and Great Britain; but only Dr. Gopal, an experienced, Oxford-trained historian and official in the External Affairs Ministry under Nehru, has had unlimited entry. This volume is the first of three which are to constitute the official biography of Nehru. Covering the nationalist period, it is clearly written and more detailed than any previous biography. It is a work to which every student of Nehru and nationalist India will have to turn.

Gopal has produced a useful volume, but he has not fulfilled the opportunity to write a truly important historical work. His book stands in the shadow of a much better one, *Nehru: A Political Biography*, by Michael Brecher, published in 1959. Brecher's biography, though written on the basis of fewer private papers, is a beautifully written, compelling, insightful book covering Nehru's career up to 1959. While focusing on Nehru, Brecher also gives a sympathetic understanding of all the other major characters, British, Muslim, and Hindu, in the period.

Gopal has done less well because, under this vast weight of documentary material, he became a chronicler rather than a biographer. He has piled fact upon fact and the forest is often lost for the trees. Out of this maze of details and too many short chronological chapters, the human Nehru does sometimes emerge, but the reasons for his appeal to his countrymen and to his opponents are rarely made explicit.

The book opens with a thirteen-page chapter on Nehru's first twenty-three years inexplicably titled "Unformative Years." Even a reading of Gopal's chapter shows that many threads of the adult Nehru can be traced to his childhood and youth. And

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when one compares this cursory chapter with Brecher's version of Nehru's youth, "The Young Brahmin," one can see how important the early years were for shaping his relations toward his dominant father (and subsequently toward other strong men), his attitudes toward Great Britain, the British raj, and gradually to the nationalism of his own country.

But an even more conspicuous shortcoming of Gopal's book is the author's narrow patriotic bias. Only Nehru is treated as worthy of concern, while every other political figure of the period is characterized as a small and limited, if not evil, person. All the British politicians are crude imperialists (every one a Churchill), the Muslim Leaguers, led by the warped, ambitious Jinnah are "henchmen." Gandhi, too, though Nehru's mentor and leader, is repeatedly critized for lack of clear ideas (e.g., see pp. 182, 292). Subhas Bose, an ally and rival of Nehru's in the Congress, is dismissed as an egotistical loser (see pp. 241–244, 289), and Bose's important role in establishing the Planning Committee of the Congress in 1938 is curiously ignored, while Nehru is given complete credit for this significant step.

Gopal only describes patriots of the Nehru stamp positively. This limitation of understanding and sympathy leads to a book of one character and hundreds of stick figures. The only other human portrait in the book is an eloquent, tender picture of Kamala Nehru, but this constitutes just a few paragraphs in a work of almost 400 pages. Gopal, for whatever reasons, has let a golden chance pass him by in this first volume. Perhaps he will retrieve his charge in the subsequent volumes (where he will have greater first-hand knowledge of the material). All students of modern India hope so.

LEONARD A. GORDON
Brooklyn College

The Politics of Cultural Pluralism *by Crawford Young. Madison, University of Wisconsin Press, 1976.—xxi, 560 pp. $20.00.*

The effect of plural cultures on political development within the nation-state has long been a subject of particular interest to those concerned with the new states of the post-colonial period. In this volume, Professor Young has brought together one of the most comprehensive studies of the subject yet undertaken.

He analyzes a variety of forms of cultural pluralism in their historical setting and identifies their sources in ethnic identity, social class, and religious and linguistic attachment. All of them, he points out, are confined within the "cast-iron grid superimposed upon the culturally diverse populace of the third world" (p. 66), the state system. With the exception of Pakistan, created out of the fear of Muslim submergence, the new states of the last three decades have been defined by the accidents of colonial occupation, not by a cultural imperative. Within this framework, the author provides a typology of forms of cultural pluralism ranging from homogeneous societies (a form so rare as to be almost deviant) to multiple cultures with several forms of differentiation. He uses it to provide the structure for analysis of individual states and

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areas as examples of the ways in which cultural politics have operated within the nation-state system.

Young draws his examples from three continents, but the heaviest emphasis is on Africa. Most interesting and yet at the same time most confusing is his chapter on Zaire, where the complexity of cultural patterns is perhaps the most notable in the continent. More than any other area, Zaire points up the conflict between an ideology designed to create support for the newly independent state and a political mobilization based upon cultural and ethnic solidarity. Zaire stands in marked contrast to Tanzania, where because of geographical and resource factors, as well as the skillful use of the single party and the encouragement of one national language, the divisive effects of cultural differentiation have largely been avoided.

The comparatively brief chapter on the Arab world presents another facet of pluralism in which cultural identification vies with national loyalty as a focus of political loyalty. The basic question of who is an Arab remains unsolved, the author argues. Despite religious, cultural, and linguistic ties, the dream of an Arab nation has yet to be fulfilled, in part at least, because of the divisive power of nation-state interests. Nevertheless, "the verdict is far from in on the future state structure of the Arab world" (p. 427), there exists always the possibility of a messiah and "the capacity of a dream to waken a passionate commitment in men must not be underestimated . . ." (p. 426).

Among the many intriguing points Young raises is his distinction of Latin America as a particular case of cultural pluralism stemming from the social and economic mobility provided for the mestizo by the Hispanic basis of the modern urban sector. But his claim that, because of the sophisticated use of class-based Marxist ideology, the appeal to the Indian poor is based on ethnic mobilization is perhaps somewhat premature; the degree of political socialization in many parts of the Latin American continent is still sufficiently low so that ethnic manipulation cannot be discounted as a possible weapon for future mass mobilization.

In his effort to cover the broad spectrum of cultural pluralism, the author includes perhaps more examples of his categories than the reader can keep clearly in mind. So many variables are presented for any one case that it becomes occasionally difficult to follow the thread of the argument or to see the reason for assigning the example to a particular place in the theoretical structure. Not surprisingly, the African illustrations, drawn from countries in which Young has done extended research, are presented with greater authority and detail. The more cursory treatments of other areas are less satisfactory in terms of proof of the overall argument, but they nevertheless reveal insights which lead the reader to further investigation to support or disprove them.

The volume is an invaluable contribution to the study of a phenomenon affecting the political stability of practically every nation of the Third World. For anyone seeking an understanding of the place of cultural allegiance as a force in modern intrastate and international politics, it is essential reading. For the practitioner, an understanding of the forces of cultural pluralism is a requirement of modern diplomacy; the Rhodesian case is only one current example. The bitter battles in Lebanon serve

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only to emphasize that the state itself may well be destroyed if the opposing forces of pluralism cannot be contained.

L. GRAY COWAN
State University of New York at Albany

A Cricket in the Thorn Tree: Helen Suzman and the Progressive Party *by Joanna Strangwayes-Booth. Bloomington, Indiana University Press, 1976.—320 pp. $12.50.*

Since the death of Smuts in 1948 only three South African parliamentarians have attained truly international stature. Unlike Verwoerd, the architect of the republic and the fanatical theorist of apartheid, and Vorster, his tough but more pragmatic successor, Helen Suzman has never held a government appointment. Nor, for the crucial years between 1961 and 1974, was she even a member of the official opposition. And yet, for these thirteen years, she alone was the only credible parliamentary opponent to the relentless erosion of civil liberties that has been the price paid for maintaining white supremacy in South Africa.

The author of this well-written and fascinating political biography is herself a white South African, actively involved in Progressive party politics, but this commitment has not prevented her from analyzing the contradictions and ambiguities that are the inevitable consequence of a political career. In the book, political events are interwoven with personal biography in a way that sheds considerable light on Helen Suzman's character and political development. Among the major formative influences were the death of her mother at infancy and the lavish affection bestowed on her by her father and aunt; her early upbringing in the sheltered, affluent suburbs of Anglo-Jewish Johannesburg; and her university studies in economics and economic history that resulted in a lifelong interest in the migrant labor system.

At the end of the war she became involved in local politics, joined the United party of Smuts and Hofmeyr, and almost drifted into the safe United party seat of Houghton. By this time she was becoming aware of the "monolithic conservatism of the United Party establishment" (p. 48) and of the rift between the "reformists" and the "conservatives" that was to result, after the Bloemfontein conference of 1959, in the birth of the Progressive party. These years of parliamentary apprenticeship revealed a remarkable measure of self-deception on the part of the progressive group within the United party and at times a degree of political expedience, as when she and her fellow liberals failed to resign with Bernard Friedman over the issue of colored disenfranchisement. At times she felt that the United party was simply providing the Nationalists with "a cloak of respectability" by its vacillating and half-hearted opposition to the assault on the rule of law. However, she soon became a major parliamentary opponent to Verwoerd whose "new vision" of apartheid she attacked with increasing sarcasm—"how do you teach mathematics in terms of Bantu culture? With cowrie shells?" (p. 141).

After the virtual extinction of the Progressive party in the general election of 1961,

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Helen Suzman was left alone to fight the draconian security laws and to question the otherwise inviolate authority of the Ministries of Justice and Bantu Affairs. Her single-handed courage brought forth a storm of personal abuse against the "Yiddisher Know-all from Houghton" (p. 207). It led to the beginning of a personality cult in her Houghton constituency that, along with her own political acumen, probably accounts for her survival when other liberals were consigned to electoral oblivion. It also resulted in an international reputation and in growing respect for her contribution among many moderate Africans. Gatsha Buthelezi, who shares with her the uneasy role of the critic within the system, described her as "the one flickering flame of liberty amidst the darkness" (p. 258).

The final verdict on Helen Suzman, as indeed on white liberalism in South Africa, will probably stress her secondary importance, squeezed between the two major forces of African and Afrikaner nationalism. Perhaps the greatest compliment paid to Helen Suzman was *not* the grudging reference of a Nationalist opponent to the "cricket in the thorn tree," but, rather, Julius Nyerere's parting words after their meeting in Dar-es-Salaam in 1973, "when all this is over, your role will be remembered" (p. 242).

JOHN STONE
St. Anthony's College, Oxford University

Japanese Urbanism: Industry and Politics in Kariya, 1872–1972 *by Gary D. Allinson. Berkeley, University of California Press, 1975.—xiv, 276 pp. $16.75.*

This book is a study of the economic, social, and political history of Kariya, a Japanese city dominated by several factories of the Toyota automotive industrial complex. It is a highly ambitious book and its success is best judged in terms of the goals the author has set for himself.

The first aim is to illuminate Japanese urban history in general through the history of a single city, and in this regard it is successful. It traces the economic evolution of Kariya from a feudal castle town, founded on administrative functions and handicraft industries, through an early twentieth-century stage as a textile-centered light industrial town, to its present form as a heavy-industrial city; analysis of changes in work-force composition and labor-management relations accompany each step of the discussion. The process by which Kariya became integrated into the growing Japanese nation-state is followed, and national-local linkages are noted to greater advantage than is common in community studies. The political evolution also is covered: changes in the local power structure and patterns of electoral behavior; the relationships of the Toyota company with the community, and the relationship between the populace and the institutions of government are fully and satisfyingly discussed. The only gap in this area was the lack of comparison with other similar one-firm Japanese company towns, a step necessary to the author's aim of illuminating the entire sweep of Japanese urban history.

Professor Allinson's second goal was to contribute to the meager English litera-

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ture on Japanese communities, and here he succeeds handsomely and also breaks new ground. There are few up-to-date Japanese community studies; even rarer are studies enriched by such a deep historical background, and Allinson is the first to focus on the medium-sized city, the most rapidly growing urban form in Japan today.

The author's third goal is to demonstrate the virtues of what he calls "new social history," essentially a behavioral approach to history emphasizing systematic research into local-level social phenomena with the ultimate aim of theory building, or at least hypothesis testing. His approach has unquestionably led him to a thorough, empirical history of Kariya; however, it does not seem to be very new. The approach is common in European and American history; the work of John Hall and Thomas C. Smith in Japanese local history seems also to follow it, in all but its theoretical inclinations.

This theoretical bent is the fourth, most ambitious, and least successful part of the author's endeavor: to challenge conventional assumptions of developmental convergence through his analysis of the social and political consequences of industrialization in Kariya. Allinson states flatly that "modern societies are not converging" (p. 261). Perhaps so; but to generalize so baldly and globally from the example of a single city the industrial structure of which is similar (according to typologies constructed by Thomas Wilkinson and Kurasawa Susumu) to fewer than 15 percent of all Japanese cities overlooks the complexity of both Japanese and other societies, invites contradiction, and makes refutation almost inevitable.

Unless, that is, one defines convergence as Allinson does: "predictable uniformity" in social and political characteristics, across all cultures, on the implicit model of America in the 1950s (pp. 9, 261). A more intellectually tenable version is that of Marion Levy: insofar as a Japanese and an American of 1976 have more in common with one another than either has with one of his own countrymen of 1676, Japanese and American societies can be said to have converged—increasing similarity, yes; uniformity, never.

In refutation of the convergence argument, Allinson adduces evidence from three areas. First, a comparison of the Japanese, American, and British auto industries compares the three on so few points that no case can really be made either way. Second, Kariya is compared with Ypsilanti, Michigan, a city dominated by General Motors as Kariya is by Toyota, and found significantly different. However, certain of the practices of GM (e.g., high turnover of management) are quite common in some large Japanese companies. Moreover, in its paternalism toward, integration into, and direct domination of the community Toyota appears to recapitulate closely the relationship between the Cannon textile company and the city of Kannapolis, North Carolina. In fact, if such paternalism, integration, and domination are characteristically Japanese, then perhaps Kannapolis is more Japanese than Kariya. Finally, there is the effect of industrialism: increasing demographic mobility which results in an "air of transience" about the city (p. 220); in the breakdown of social solidarity and bifurcation of the community into long-term residents and newcomers; in social fragmentation and anomie; and in a loss of sense of community. Apart from the accuracy of this description in regard to Kariya or anywhere else, one

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could change the city name and date and possibly find similar generalizations applied to almost any city in the world at similar levels of industrialization.

In fact, to be banal, one might say simply that societies as they industrialize converge in some areas but retain distinctive national characteristics in others, and the internal variety of each raises the danger that one's assumptions will be confirmed if a selective case-study approach to comparative urbanism is followed. Nevertheless, the author has attained two, and perhaps three, of his four goals. This book is an excellent addition to the literature on the Japanese city—in English or Japanese—and historians of other societies can draw their own comparisons with profit also.

In format the book is of high quality. There are a few typos (pp. 33, 220, 242), but the only egregious error is the rendition throughout of the family name Toyoda as Toyota.

JAMES W. WHITE
University of North Carolina

REFERENCE BOOKS AND SOURCE MATERIALS RECEIVED

American Foreign Relations, 1973: A Documentary Record *edited by Richard P. Stebbins and Elaine P. Adam. New York, New York University Press, 1976.—xix, 650 pp. $26.50.*

America's Working Women *compiled and edited by Rosalyn Baxandall, Linda Gordon, and Susan Reverby. New York, Vintage Books, 1976.—xxii, 408 pp. Cloth, $15.00; paper, $6.95.*

Annual Review of Sociology, Vol. 2 *edited by Alex Inkeles, James Coleman, and Neil Smelser. Palo Alto, Calif., Annual Reviews, Inc., 1976.—vii, 436 pp. $17.00.*

The Book of the States 1976–1977 *edited by Paul Albright. Lexington, Ky., The Council of State Governments, 1976.—xiv, 673 pp. $21.00.*

City Government Finances in 1974-1975 *prepared by Governments Division, Bureau of the Census. Washington, D. C., Department of Commerce, 1976.—118 pp. $2.30.*

Congressional Quarterly's Guide to Congress, 2d. ed. *edited by Robert A. Diamond and Patricia Ann O'Connor. Washington, D. C., Congressional Quarterly Inc., 1976.—xxxi, 721 pp. $49.50.*

The County Year Book 1976 *prepared by National Association of Counties/International City Management Association Joint Data Center. Washington, D. C., National Association of Counties and International City Management Association, 1976.—257 pp. $19.50.*

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Foreign Relations of the United States 1949, Vol. I: National Security Affairs, Foreign Economic Policy *prepared by Department of State. Washington, D. C., Government Printing Office, 1976.—xxv, 836 pp. $11.00.*

Index: Journals of the Continental Congress, 1774–1789 *compiled by Kenneth E. Harris and Steven D. Tulley. Washington, D. C., National Archives and Records Service, General Services Administration, 1976.—xiv, 429 pp. $8.00.*

Local Government Finances in Selected Metropolitan Areas and Large Counties: 1974–1975 *prepared by Governments Division, Bureau of the Census, Washington, D. C., Department of Commerce, 1976.—147 pp. $2.55.*

Managing Interstate Conflict, 1945–1974: Data with Synopses *by Robert Lyle Butterworth with Margaret E. Scranton. Pittsburgh, Pa., University Center for International Studies, University of Pittsburgh.—vii, 535 pp. Cloth, $16.95; paper, $6.95.*

The Municipal Year Book 1976 *prepared by International City Management Association's Data Services Center. Washington, D. C., International City Management Association, 1976.—396 pp. $26.00.*

The Statesman's Year-Book 1976–1977 *edited by John Paxton. New York, St. Martin's Press, 1976.—xxviii, 1556 pp. $19.95.*

Washington Information Directory 1976–1977 *edited by Patricia Ann O'Connor. Washington, D. C., Congressional Quarterly Inc., 1976.—xxx, 810 pp. $18.00.*

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Correspondence

To the Editor:

While I am grateful for the kind of attention paid to my book *Simple Justice* by your reviewer in the Fall 1976 issue, I fear that he has given a rather misleading impression in the example he cites of the nature and extent of my documentary sources, which I gathered over a period of seven years.

Several hundred pages of the book are devoted to the deliberations of the Supreme Court in its epochal *Brown* decision, my principal subject, yet reviewer Charles S. Bullock III of the University of Houston states that "relying on fragmentary notes of two justices, Kluger tries to piece together the discussions among the members of the Supreme Court when *Brown* was before them." I am distressed to find that a reviewer could have read my text of nearly 800 pages and characterized my work as such casual and, in effect, irresponsible scholarship.

In fact, my effort to reconstruct the private proceedings of the justices in *Brown*—as the text and notes plainly disclose—was based upon the conference notes, made on the spot, by three of the participating justices (Burton, Frankfurter, and Jackson), my personal interviews with two of the other participants (Justices Clark and Warren), the private papers of five of the justices (Burton, Frankfurter, Jackson, Reed, and Vinson), the letters of three of the justices (Black, Burton, and Frankfurter), the autobiography of Justice Douglas, interviews and correspondence with some twenty-five of the justices' clerks who served while *Brown* was before the Court, and dozens of articles about the justices and their judicial philosophies. To my knowledge, none of these sources other than the Douglas book and the previously published articles had ever before been cited or used in any book, and few had ever before been disclosed. While I do not require that Professor Bullock commend me for my perseverance, I do insist that he not trivialize and misstate the scope and thoroughness of my documentation.

RICHARD KLUGER
New Haven, Conn.

Professor Bullock replies:

Mr. Kluger has chosen to focus on a part of a sentence which was included in my review of *Simple Justice* to illustrate the thoroughness of his research efforts and he has interpreted it as a criticism. The sentence fragment which Mr. Kluger quotes comes in a paragraph of glowing praise for his work—"*Simple Justice* is now, and may re-

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main, the most extensive review of the events leading up to the landmark *Brown* v. *Board of Education* decision. Paying meticulous attention to detail, Kluger takes a broad gauge approach to recounting the history of the school desegregation struggle." Compliments of this nature refute Mr. Kluger's charge that I "characterize [his] work as such casual and, in effect, irresponsible scholarship." Had I found the research done for *Simple Justice* inadequate or slipshod, I would have unambiguously said so.

I cited the use of the notes made by justices—two sets at each conference—at the conferences at which *Brown* was discussed because I was impressed that Mr. Kluger obtained, deciphered, and used them. Accounts of events as they occur are often less subject to problems of faulty recall and changes in perception produced by time or, in the case of law clerks, inaccuracies caused by not being present at the conferences. A not uncommon phenomenon is for there to be differences of varying magnitude between what participants recall of their own actions and those of others and what on the spot accounts record. In my own research I often find incongruities between the recall of even fairly recent events and meeting minutes or other accounts made at the time of the events. I do not mean to imply that the recollections of the justices, their clerks and the other sources Mr. Kluger uses are unreliable or of little value. Indeed it is these sources which Court scholars are more likely to turn to. I singled out the use of the conference notes for comment because these may well be the most reliable source and because they are rarely tapped. All of this has been previously communicated to Mr. Kluger in private correspondence.

A second reason for mentioning Kluger's use of notes made in the conferences is to alert scholars who read the review but not the book to the possibility that such material may be available for other cases on which they are doing research.

CHARLES S. BULLOCK III
University of Houston

To the Editor:

In his objective and succinct review of *Milovan Djilas: Parts of a Lifetime* (*Political Science Quarterly*, Spring 1976) Professor Alex Dragnich makes an apt observation with which this coeditor wholeheartedly concurs: "Political scientists especially will regret the failure to include in this collection what might have been a major contribution. There is a teasing reference (pp. 11–12) to an unpublished essay, 'The Omniscience of Folly,' which deals with 'the workings of the inner party leadership,' but alas it is not included here."

Since this coeditor was mainly responsible for the organization of the volume, I wish to explain why this item was not included. First, I did not have at the time the book was planned, rights over this property. Second, I did not feel it was crucial to be in *Milovan Djilas: Parts of a Lifetime* because it was similar to and would duplicate in part the selection "Nordic Dream." Third, I had hoped to publish a second volume focusing on political and economic themes and expected to obtain rights to use "The Omniscience of Folly" and several other unpublished works in that volume. These hopes, alas, have not been realized.

Aware of my duty to the scholarly community, I plan to include substantive discus-

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sion of "The Omniscience of Folly" in my forthcoming critical study of the works of Milovan Djilas.

MICHAEL M. MILENKOVITCH
Lehman College, City University of New York

To the Editor:

In his "Is United States Foreign Policy 'Imperialistic' or 'Imperial'?" (*Political Science Quarterly*, Spring 1976), Jerome Slater attributes to Gabriel Kolko the argument that foreign raw materials are "structurally necessary to the survival of United States capitalism." Nowhere in *The Limits of Power*, however, could I find such an argument by Kolko; I did find the following passage on page 22: "American economic planners were continuously aware of exports, full employment, and the transformation of the world economy. No less imperative to them, so much so that it could not be compromised, was the nation's need to gain access to the world's raw material output. Nominal anti-colonialism, or an open-door doctrine, Washington continuously linked to this need throughout the war, tying the advancement of American interests to a very specific notion of international welfare. The heart of the matter, however, was that for two decades the United States had increasingly been a net importer of raw materials, *without which a substantial and growing section of its economy could not operate*, and the fulfillment of the United States goals for the world economy were a vital aspect of guaranteeing access to future world resource output." (Italics added.) Clearly there is quite a difference between the survival of a substantial and growing section of the American economy and the survival of United States capitalism. . . .

I suggest that nowhere in his writing does Kolko argue that foreign raw materials are "structurally necessary to the survival of United States capitalism." And that to characterize his discussions of the importance of foreign raw materials to the American economy in terms of structural necessities for the survival of United States capitalism is simply to set up a straw man. While the flesh and blood of Kolko's critique in this regard is: foreign raw materials have played a key role in the economic self-aggrandizement of America; and, in Slater's words summarizing the neo-Marxist position—"economic self-aggrandizement (has been) at the heart of American imperialism. . . ."

GENTRY ROWSEY
El Cerrito, Calif.

Professor Slater replies:

Contrary to Gentry Rowsey, the heart of Kolko's argument on U. S. foreign policy is the structural necessity of the open door policy to U. S. "capitalism." Even the very passage Rowsey quotes in refutation refers to "the *nation's* need to gain access to the world's raw material output." (Italics added.) On page 8 of Kolko's *Limits of Power*

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one finds the following: "As we shall see repeatedly, it is the expansive interests of American capitalism as an economy with specific structural needs that guide the definition of foreign economic policy and the United States's larger global role and needs." As good as his word, Kolko repeats this argument over and over again throughout the entire book. Straw man indeed!

JEROME SLATER
State University of New York at Buffalo

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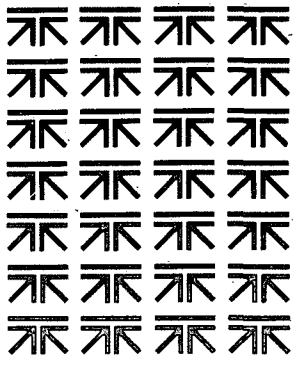

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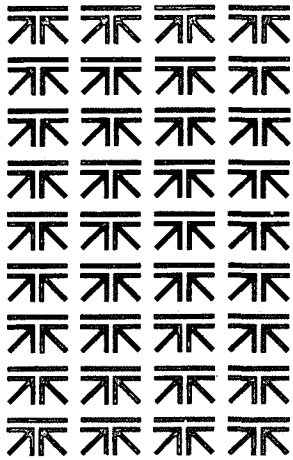

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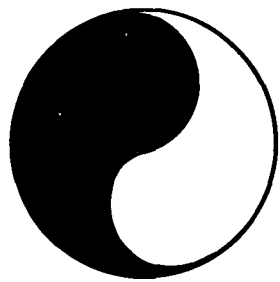

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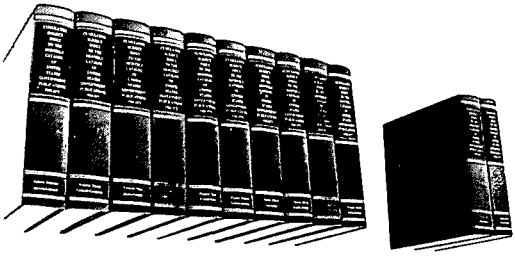

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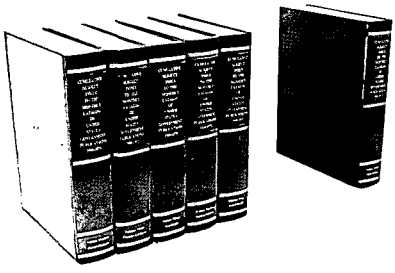

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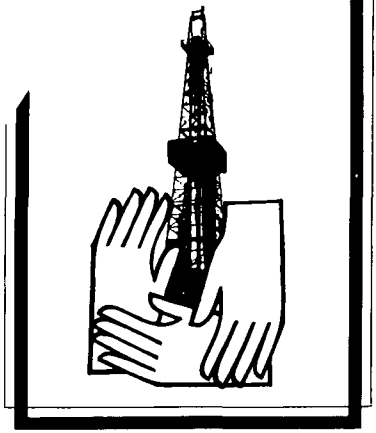

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